

No. 202, Marine Engineers' Union No. 41, Typographical Union No. 58, Hard Wood Finishers' Union No. 187, and Division No. 50, Order of Railway Telegraphers, all of Portland, Oreg.—favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. NAPHEN: Resolution of Bricklayers' Union No. 3, Boston, Mass., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to \$1,200, and in cities of the second class to \$1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. NEVILLE: Papers to accompany House bill 12617, granting a pension to William H. Pettit—to the Committee on Invalid Pensions.

By Mr. OTJEN: Petition of Division 405, Brotherhood of Locomotive Engineers, favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RAY of New York: Resolutions of Brotherhood of Locomotive Engineers of Elmira, N. Y., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Paysons Lodge, Railroad Trainmen, Walton, N. Y., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Barbers' Union, Locomotive Engineers, and Association of Machinists, of Binghamton, N. Y.; Woodworkers' Union, of Waverly, N. Y., and Bricklayers' Union, of Ithaca, N. Y., favoring restrictive immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBERTS: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Indiana: Petition of C. Tresselt & Sons, Fort Wayne, Ind., in favor of the passage of House bill 8337—to the Committee on Interstate and Foreign Commerce.

By Mr. RUCKER: Resolution of Southern Lodge, No. 20, Railroad Trainmen, of Trenton, Mo., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUMPLE: Resolutions of Typographical Union of Clinton, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of the United Retail Grocers' Association of Brooklyn, N. Y., favoring the passage of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Marine Cooks' Benevolent Association No. 54, Buffalo, N. Y., in favor of House bill 9053, to enforce law of domicile—to the Committee on Labor.

Also, resolution of the American Leather Company, in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

By Mr. SELBY: Resolutions of Carpenters' Union No. 904 and Team Drivers' Union No. 336, of Jacksonville, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Petitions of labor organizations in the Twenty-fifth Congressional district of New York, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SLAYDEN: Petition of Plumbers' Union No. 142, of San Antonio, Tex., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers of D. J. K. Maddox, in relation to war claim—to the Committee on War Claims.

By Mr. SPERRY: Petition of Painters and Decorators' Union No. 99, of Derby, Conn., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STEWART of New York: Petitions of various labor organizations in the Twenty-first Congressional district of New York, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Petition of Woman's Christian Temperance Union of Jefferson, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. THAYER: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, Worcester, Mass., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolutions of Division 38, Order of Railway Conductors, Des Moines, Iowa, and Division 125, Rail-

road Engineers, Clinton, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Union No. 51, Sheet Metal Workers, of Sioux City, Iowa, urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Resolutions of Journeymen Stonecutters of Rock Glen; Retail Clerks' Union No. 146, of Lockport; Railroad Telegraphers, Order No. 20; Carpenters' Union No. 322, of Niagara Falls, and Lock City Lodge, No. 439, Association of Machinists, of Lockport, N. Y., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WILLIAMS of Illinois: Resolutions of Division 127, Locomotive Engineers, Flora, Ill., asking for a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Resolutions of Stockton ———, No. 56, Stockton, Cal., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, petition of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

By Mr. WRIGHT: Resolutions of Junior Machinists' Apprentices, Federal Labor Union, No. 9008, Susquehanna, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. YOUNG: Resolutions of West Philadelphia Division, No. 162, Order of Railway Conductors, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Henry E. Billerbeck, Philadelphia, Pa., in favor of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Printing Pressmen's Union, No. 4, protesting against the passage of Senate bill No. 2894 and House bill 5777, amending the copyright law—to the Committee on Patents.

Also, paper to accompany House bill No. 12635, granting a pension to Albert L. Du Puget—to the Committee on Invalid Pensions.

## SENATE.

MONDAY, *March 17, 1902.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. HENRY N. COUDEN, D. D., Chaplain of the House of Representatives.

The Secretary proceeded to read the Journal of Saturday's proceedings, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

### MISSION INDIANS OF SOUTHERN CALIFORNIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs recommending the appointment of a commission of five citizens, to serve without compensation, to investigate the condition and needs of the Mission Indians of Southern California, and submitting an item to be incorporated in the Indian appropriation bill, appropriating \$2,500 for the expenses of that commission; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Jefferson, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Coopers' Local Union No. 120, American Federation of Labor, of Nashua, N. H., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of Rumford Grange, Patrons of Husbandry, of Concord, N. H., praying for the establishment of reciprocal trade relations with Cuba; which was referred to the Committee on Relations with Cuba.

He also presented a petition of Granite Cutters' Local Union, American Federation of Labor, of Fitzwilliam, N. H., and a petition of Coopers' Local Union No. 120, American Federation of Labor, of Nashua, N. H., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Rumney, Wentworth, Peterboro, and Plymouth, all in the State of New Hampshire, praying for the passage of the so-called Grout bill, to

regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. DILLINGHAM presented a petition of sundry citizens of Montpelier, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Springfield, Vt., and a petition of sundry citizens of Wheelock, Vt., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. QUARLES presented a petition of the Chamber of Commerce of Milwaukee, Wis., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented the petition of James E. Clark and 47 other citizens of Greenleaf, Wis., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the petition of F. H. Hillyer and 278 other citizens of Lincoln County, Wis., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

Mr. KITTREDGE presented petitions of A. J. Berdahl and 27 other citizens of Garretson, of N. Smith and 24 other citizens of Lennox, of E. G. Johnson and 46 other citizens of Hartford, of the Dell Rapids Creamery Company and 21 citizens of Dell Rapids, of J. P. Thorp and 48 other citizens of Forestburg, of F. P. Melvin and 47 other citizens of Avon, of Fred J. McArthur and 16 other citizens of Aberdeen, of A. Nolting & Son and 93 other citizens of Armour, of Alex Gustavson and 47 other citizens of Greenfield, of A. P. Rugger and 47 other citizens of Millbank, of Lars Berglund and 46 other citizens of Frank, of D. E. A. Lundquist and 40 other citizens of Irene, of John Mareesh and 40 other citizens of Eagle, of A. Nolting & Son and 37 other citizens of Joubert, of C. B. Thompson and 36 other citizens of Alsen, of A. G. McGilvera and 26 other citizens of Harrison, of Charles F. Stiles and 20 other citizens of Corsona, of the Brandon Creamery Company and 56 citizens of Brandon, and of Emil Erickson and 45 other citizens of Hanson, all in the State of South Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of sundry citizens of Everett, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 193, of Spokane Falls, Wash., praying for the enactment of legislation restricting the immigration of illiterate persons; which was ordered to lie on the table.

He also presented petitions of Bricklayers' International Union No. 3, of Spokane, of Typographical Union No. 193, of Spokane Falls, and of Local Union No. 297, International Association of Machinists, of Tacoma, all in the State of Washington, praying for the enactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. PROCTOR presented petitions of Iron Molders' Local Union No. 337, of St. Johnsbury; of United Garment Workers' Local Union No. 32, of Brattleboro; of Typographical Union No. 384, of Montpelier, and of Bricklayers and Masons' Local Union No. 1, of Rutland, all in the State of Vermont, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. HALE presented a petition of the New York Methodist Preachers' Meeting, praying for the enactment of legislation placing the chaplains of the United States Navy in the matter of their pay and general treatment on an equal footing with the other officers of the same rank in the service; which was referred to the Committee on Naval Affairs.

He also presented petitions of Journeymen Barbers' Local Union No. 210, of Portland; of the Granite Cutters' Union of Stonington, all of the Federation of Labor, and of Local Division No. 403, Order of Railway Conductors, of Waterville, all in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of North Fayette, Whites Corner, Skowhegan, Dedham, Norway, North Paris, Bethel, and Corinth, and of Pomona Grange, Patrons of Husbandry, of Woolwich, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. BEVERIDGE presented petitions of Local Union No. 24, of Brazil; of Bricklayers' Local Union No. 30, of Washington; of Carpenters' Local Union No. 431, of Brazil; of Retail Clerks' Local Union No. 291, of Dunkirk; of Typographical Union No.

332, of Muncie; of Bricklayers' International Union No. 16, of Alexandria; of Bricklayers and Plasterers' Local Union No. 17, of Brazil; of Bricklayers' Local Union No. 8, of Anderson; of Typographical Union No. 284, of Anderson; of Local Union No. 2529, of Dunkirk, all of the American Federation of Labor, and of sundry citizens of Muncie, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented the petitions of J. A. Randall and 175 other citizens of Marion County, of T. J. Bowles and 76 other citizens of Delaware County, and of Samuel D. Straw and 90 other citizens of Elkhart County, in the State of Indiana, praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented the petition of Mrs. Mary Schlesinger, of Brookline, Mass., praying for the enactment of legislation to abolish the regulation of vice in our island possessions; which was referred to the Committee on the Philippines.

He also presented a petition of the Weavers' Local Union, American Federation of Labor, of Lawrence, Mass., praying for the enactment of legislation to provide an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented the petition of F. R. Wright and sundry other citizens of Bondsville, Mass., and the petition of J. T. Carpenter and sundry other citizens of Lowell, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Bartenders' Local Union No. 96, American Federation of Labor, of Milford, Mass., and a petition of Rubber Workers' Local Union No. 8622, of Cambridge, Mass., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of Boot and Shoe Workers' Local Union No. 52, American Federation of Labor, of North Grafton, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. FRYE presented the petition of F. H. Skinner and 47 other citizens of Corinth, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. WETMORE, from the Committee on the Library, to whom was referred the bill (S. 3060) appropriating \$5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4486) granting an increase of pension to Myra W. Robinson;

A bill (S. 4413) granting an increase of pension to Martha A. Greenleaf;

A bill (H. R. 7771) granting an increase of pension to Frank Seaman; and

A bill (H. R. 3873) granting a pension to William C. Flowers.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 324) granting an increase of pension to Nellie Loucks, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3217) granting an increase of pension to Charles Dixon, reported it with an amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on Interoceanic Canals, to whom was referred the joint resolution (S. R. 45) providing for a board to investigate the practicability of constructing a canal across the Isthmus of Darien, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 8292) granting a pension to Hester Thomas, reported it without amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on the Judiciary, reported a bill (S. 4553) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was read twice by its title.

Mr. HOAR. I move that the bill (S. 1118) to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases, being Order of Business 307 on the Calendar, be postponed indefinitely and that the bill just reported by me be given the place of that bill on the Calendar.

The motion was agreed to.

Mr. PENROSE. I submit a report to accompany the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

The PRESIDENT pro tempore. The report will be printed.

Mr. PENROSE. In connection with this report I submit the hearings taken before the Committee on Immigration on Senate bill No. 2960 and certain other bills pending before that committee providing for the exclusion of Chinese laborers. I move that the hearings be printed as a separate volume.

The motion was agreed to.

#### BILLS INTRODUCED.

Mr. KEAN introduced a bill (S. 4549) for the relief of Henry Lane; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DRYDEN introduced a bill (S. 4550) to correct the status and record of Bvt. Col. Thomas P. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 4551) relative to fines and forfeitures in cases of cruelty to animals in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 4552) granting an increase of pension to William G. Gano; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

#### AMENDMENTS TO BILLS.

Mr. MONEY submitted an amendment providing for a survey of the Tallahatchie River, State of Mississippi, from Batesville to Coldwater, and a survey on Cassidy Bayou from its mouth to a point 60 miles upstream, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BERRY. I present four amendments to the subsidy bill, to be offered when the bill comes up for consideration.

The PRESIDENT pro tempore. The amendments will be received, and they will lie on the table.

#### CIVIL-SERVICE EXAMINATIONS.

Mr. GALLINGER. I submit a resolution for which I ask present consideration.

The resolution was read; as follows:

Resolved, That the Civil Service Commission is hereby directed to transmit to the Senate a statement showing the number of persons examined during each fiscal year from 1884 to 1901, inclusive, giving by years the number who passed, the number who were rejected, the number who were certified as being eligible for appointment, the number actually appointed, and the number of eligibles now on the several rolls of the Commission; also the number placed in the classified service by Executive orders or rules of the Commission, without examination, since the date of the enactment of the civil service law approved January 16, 1883.

Mr. HALE. Let the resolution go over a day. I should like to examine it.

The PRESIDENT pro tempore. Objection being made, the resolution will be printed and lie on the table.

#### LEGAL AND TRAFFIC RELATIONS OF RAILROADS.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

Mr. ALLISON. I should like to hear it read before unanimous consent is given.

Mr. MORGAN. Yes; of course.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior is directed to send to the Senate a statement of the legal and traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States. And that the Secretary of War is directed to send to the Senate a statement of the legal and traffic relations between the railroads in the Philippine Islands, and as to the charters and ownership of such railroads.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HALE. Let it go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

#### CONSIDERATION OF THE CALENDAR.

Mr. HALE. Mr. President, if no Senator is ready to speak on the unfinished business we might as well go to the Calendar and spend a few minutes upon it. I will not interfere with any Senator who desires to address the body.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that bills on the Calendar under Rule VIII be considered. Is there objection?

Mr. COCKRELL. How is that?

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that bills on the Calendar under Rule VIII be considered.

Mr. HALE. Whenever any Senator comes in who desires to address the Senate upon the unfinished business, of course the Calendar will be laid aside, but we can utilize perhaps half an hour in this way.

Mr. GALLINGER. Mr. President, if agreeable, I would occupy a few minutes in the discussion of the unfinished business. I was not present when the unanimous consent agreement was reached, and I do not know whether the shipping bill was to be taken up immediately after the routine morning business. If it is to be taken up, I will proceed with the discussion. [A pause.] Several Senators have suggested to me that they would like to have a little time to devote to the Calendar, and it will be quite agreeable to me to postpone the few observations I desire to make on the unfinished business until later.

#### IMITATION DAIRY PRODUCTS.

The bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, was announced as first in order on the Calendar.

The PRESIDENT pro tempore. This bill will be passed over without prejudice.

Mr. PROCTOR. Let it go over, retaining its place on the Calendar.

#### ADJUDICATION OF PENSION CLAIMS.

The bill (S. 1685) providing for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions, was announced as next in order.

Mr. GALLINGER. Let the bill go over, to be placed under Rule VIII.

The PRESIDENT pro tempore. The bill will be passed over, retaining its place on the Calendar.

#### JOHN L. SMITHMEYER AND PAUL J. PELZ.

The bill (S. 167) for the relief of John L. Smithmeyer and Paul J. Pelz was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### SIOUX TRIBE OF THE ROSEBUD RESERVATION.

The bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation to carry the same into effect, was announced as next in order.

Mr. KEAN. I think the Senator from Connecticut [Mr. PLATT] is interested in the bill, and I suggest that it go over.

The PRESIDENT pro tempore. The bill will go over without prejudice.

#### MONONGAHELA RIVER BRIDGE.

The bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT COLORADO SPRINGS, COLO.

The bill (S. 1298) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 1, before the word "hundred," to strike out "two" and insert "one," so as to make the clause read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Colorado Springs and State of Colorado, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CENTRAL ARIZONA RAILWAY.

The bill (S. 4363) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JACOB L. HANGER.

The bill (H. R. 3690) for the relief of Jacob L. Hanger was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, on page 1, line 5, after the word "Hanger," to strike out "as a private of Company C, Thirtieth Ohio Infantry, and issue to him an honorable discharge, showing him discharged December 1, 1862," and to insert "alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, who absented himself without proper authority and remained so absent to July 15, 1863, when, under the name of William T. Graham, he enlisted in Company F, Second Ohio Heavy Artillery Volunteers, served faithfully, and was honorably discharged with his command August 23, 1865."

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War is hereby authorized and directed to remove the charge of desertion standing against Jacob L. Hanger, alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, who absented himself without proper authority and remained so absent to July 15, 1863, when, under the name of William T. Graham, he enlisted in Company F, Second Ohio Heavy Artillery Volunteers, served faithfully, and was honorably discharged with his command August 23, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JACOB BOWMAN.

The bill (S. 3371) removing the charge of desertion from the name of Jacob Bowman was considered as in Committee of the Whole. The bill was reported from the Committee on Military Affairs with an amendment, in line 5, after the name "Bowman," to strike out the words "of the National Military Home, Marion, Ind., who served as follows: Private, Company K, Sixty-third Indiana Infantry Volunteers; private, Company G, One hundred and sixteenth Indiana Infantry Volunteers, private, Company E, Forty-second Indiana Infantry Volunteers," and to insert: "of Company K, Sixty-third Regiment Indiana Infantry Volunteers, and substitute therefor the words 'Discharged December 2, 1862:' *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now borne on the records of the War Department against Jacob Bowman, of Company K, Sixty-third Regiment Indiana Infantry Volunteers, and substitute therefor the words "Discharged December 2, 1862:" *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CATHARINE A. BROWN.

The bill (S. 3826) for the relief of Catharine Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War is hereby authorized and directed to correct the record of Isaac P. Brown, of Company C, Fifth Regiment Iowa Infantry Volunteers, by removing therefrom the charge of desertion and substituting therefor the words: "Absented himself without proper authority and so remained up to August 23, 1864, when he enlisted and was mustered into the service in Company D, Fortieth Regiment Missouri Volunteer Infantry, under the name of Albert B. Cole, served faithfully and was honorably discharged August 8, 1865:" *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Catharine A. Brown."

UNIVERSITY OF UTAH.

The bill (S. 140) granting to the University of Utah additional lands adjacent to its site was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 7, before the word "rods," to strike out "forty" and insert "ten;" in line 8, to strike out "south boundary line of said reservation" and insert "northeast corner

of the Mount Olivet Cemetery;" in line 9, before the word "rods," to strike out "one hundred and ten" and insert "eighty;" in line 10, to strike out "southwest corner" and insert "west line," and on page 2, line 1, after the word "university," to strike out "excepting therefrom the lands heretofore granted by act of Congress to the Mount Olivet Cemetery," and insert:

Excepting therefrom a strip of land 5 rods in width on the north side of the Mount Olivet Cemetery, to be used as a public road or highway and for the electric street railway now located thereon.

So as to make the bill read.

*Be it enacted, etc.*, That there is hereby granted to the University of Utah the following-described land, lying within the Fort Douglas Military Reservation and adjacent to the site of said university, in said State, namely: Beginning at the northeast corner of said site and running thence east 10 rods; thence south to the northeast corner of the Mount Olivet Cemetery; thence west 80 rods to the west line of said reservation; thence north to the southwest corner of the site of said university; excepting therefrom a strip of land 5 rods in width on the north side of the Mount Olivet Cemetery, to be used as a public road or highway and for the electric street railway now located thereon.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT LARAMIE, WYO.

The bill (S. 311) to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Laramie and State of Wyoming, the cost of the site and building, including the vaults, heating and ventilating apparatus, and approaches, complete, not to exceed \$100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGREEMENT WITH INDIANS OF DEVILS LAKE RESERVATION.

The bill (S. 2418) to ratify an agreement with the Indians of the Devils Lake Reservation in North Dakota and making appropriation to carry the same into effect was read.

Mr. COCKRELL. In view of the criticism which was made the other day by the distinguished Senator from Connecticut [Mr. PLATT], I ask that this bill may be passed over, retaining its place, until he is present. It can then be taken up and passed at any moment.

Mr. HANSBROUGH. Under the circumstances, I do not object to the bill going over.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

CHARLES C. DAVIS.

The bill (S. 2109) granting an increase of pension to Charles C. Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the word "late," to strike out "a private in" and insert "of;" in line 7, after the word "sixth," to insert "Regiment," and in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles C. Davis, late of Company A, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. M'KEEHAN.

The bill (S. 1363) granting an increase of pension to James A. McKeenan was announced as next in order.

Mr. COCKRELL. What was done with Senate bill 2109?

Mr. KEAN. It was passed.

The PRESIDENT pro tempore. The bill was passed.

Mr. HALE. Let the pension cases go by, as the Senator from New Hampshire [Mr. GALLINGER] always looks after them, and let us take up the other cases on the Calendar.

The PRESIDENT pro tempore. If there be no objection to the request of the Senator from Maine, the pension cases will be passed over.

DISPOSAL OF REFUSE IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 11241) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse,

and for other purposes," approved January 25, 1898,\* was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ACKNOWLEDGMENT OF DEEDS IN PHILIPPINES, ETC.

The bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MOUNT RAINIER NATIONAL PARK.

The bill (S. 270) to prevent trespassers or intruders from entering the Mount Rainier National Park, in the State of Washington, was considered as in Committee of the Whole. It directs the Secretary of War, upon the request of the Secretary of the Interior, to make the necessary detail of troops to prevent trespassers or intruders from entering the Mount Rainier National Park, in Washington, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of the reservation, and to remove such persons from the park if found therein.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### C. R. DICKSON.

The bill (H. R. 3278) to correct the military record of C. R. Dickson was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment in line 6, after the word "Volunteers," to insert "by setting aside the finding and sentence of the court-martial of October 27, 1898;" so as to make the bill read:

That the Secretary of War be, and he hereby is, authorized and directed to correct the military record of C. R. Dickson, late private, Company D, First Georgia Regiment United States Volunteers, by setting aside the finding and sentence of the court-martial of October 27, 1898, and issue to him an honorable discharge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### AMERICAN REGISTER FOR STEAMER BROOKLYN.

The bill (S. 3504) to provide an American register for the steamer *Brooklyn* was announced as next in order.

Mr. HALE and Mr. DRYDEN. Let that bill go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

#### NAVIGATION OF VESSELS, ETC.

The bill (S. 1792) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," was announced as next in order.

Mr. HALE. Let that bill go over without prejudice, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

#### ISTHMIAN CANAL ROUTE.

The bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans was announced as next in order.

Mr. HALE. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

#### HISTORICAL REGISTER, UNITED STATES ARMY.

The bill (S. 2845) to purchase from the compiler, Francis B. Heitman, the manuscript of the Historical Register, United States Army, from 1789 to 1901 was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, on page 1, line 8, after the words "records of," to insert "about;" in the same line, after the word "officers," to strike out "and so forth" and insert "with valuable statistics and data connected therewith;" on page 2, line 4, after the words "edition of," to strike out "three" and insert "six;" and in line 5, after the word "copies," to strike out "to be distributed under the direction of the Secretary of War" and insert:

Of which 1,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 3,000 for the War Department: *Provided*, That of the copies allotted the War Department a sufficient number shall be held subject to the order of the Superintendent of Documents, who is hereby directed to supply each Government depository with one copy of the compilation herein provided for.

So as to make the bill read:

*Be it enacted, etc.*, That to enable the Secretary of War to purchase from the compiler the manuscript of the Historical Register, United States Army,

from 1789 to 1901, compiled by Francis B. Heitman from the official records of the War Department, containing the records of about 70,000 officers, with valuable statistics and data connected therewith, and designed to make two printed volumes of about 900 pages each, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, said manuscript to be deposited in the War Department and to be printed by the Public Printer in an edition of 6,000 copies, of which 1,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 3,000 for the War Department: *Provided*, That of the copies allotted the War Department a sufficient number shall be held subject to the order of the Superintendent of Documents, who is hereby directed to supply each Government depository with one copy of the compilation herein provided for.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### JACOB COOPER.

The bill (S. 3673) to correct the military record of Jacob Cooper was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 6, after the word "infantry," to strike out "and of Company D, One hundred and forty-sixth Ohio Volunteer Infantry, and issue to him an honorable discharge from the service of the United States," and insert "by removing the charge of desertion and substituting therefor, 'Discharged September 28, 1867,' and to issue a certificate therefor;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Jacob Cooper, late a member of Company K, Thirty-first Regiment Ohio Volunteer Infantry, by removing the charge of desertion and substituting therefor, "Discharged September 28, 1867," and to issue a certificate therefor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CHINESE EXCLUSION.

The bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent, was announced as next in order.

Mr. HALE. Let that bill go over, Mr. President. The Senator from Pennsylvania [Mr. PENROSE], who has it in charge, gave notice of a motion to make it the unfinished business, and as it can not be considered under this rule, I ask that it go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

#### REMOVAL OF WEEDS IN WASHINGTON, D. C.

The bill (S. 4409) to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, was considered as in Committee of the Whole. It proposes to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, by striking out the word "four" wherever it occurs and inserting in place thereof the word "eighteen."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JAMES A. SOMERVILLE.

The bill (H. R. 4260) to correct the military record of James A. Somerville was announced as next in order.

Mr. HALE. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] who looks after pension bills always includes in his request for their consideration the bills correcting military records. So I ask that all such bills be passed over without prejudice, as the pension bills have been.

The PRESIDENT pro tempore. Without objection, the bills on that subject will be passed over, retaining their place on the Calendar.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed with amendments the following bills:

A bill (S. 462) granting an increase of pension to Ann Demoubrun;

A bill (S. 628) granting a pension to Annie E. Taggart; and

A bill (S. 3329) granting an increase of pension to Annie McElheney.

The message also announced that the House had passed the following bills:

A bill (S. 8) granting a pension to Sara B. Andrews;

A bill (S. 335) granting an increase of pension to Joseph H. Barnum;

A bill (S. 469) granting an increase of pension to Hiram H. Kingsbury;

A bill (S. 502) granting a pension to Alexander Beachboard;

A bill (S. 577) granting an increase of pension to Joseph W. Burch;  
 A bill (S. 665) granting a pension to Kate Pearce;  
 A bill (S. 713) granting a pension to Frances E. Stebbins;  
 A bill (S. 1015) granting an increase of pension to Israel A. Benner;  
 A bill (S. 1041) granting a pension to Abbie M. Packard;  
 A bill (S. 1086) granting a pension to Charlotte H. Race;  
 A bill (S. 1135) granting an increase of pension to Thomas J. Stowers;  
 A bill (S. 1139) granting a pension to Abby Clark McNett;  
 A bill (S. 1146) granting a pension to Adela S. Webster;  
 A bill (S. 1164) granting an increase of pension to Lewis W. Moore;  
 A bill (S. 1195) granting an increase of pension to Charles R. Bridgman;  
 A bill (S. 1256) to remove the charge of desertion from the military record of Stephen A. Toops;  
 A bill (S. 1331) granting a pension to Ann Eliza Trout;  
 A bill (S. 1467) granting an increase of pension to Cynthia A. McKenny;  
 A bill (S. 1626) granting an increase of pension to Michael Samuelsberger;  
 A bill (S. 1641) granting an increase of pension to Frank J. Clark;  
 A bill (S. 1748) granting an increase of pension to Williamanna E. Lynde;  
 A bill (S. 1800) granting an increase of pension to Jennie C. Ruckle;  
 A bill (S. 1802) granting an increase of pension to Cornelia E. Wright;  
 A bill (S. 1913) granting an increase of pension to Caroline Mischler;  
 A bill (S. 1933) granting a pension to Ella Bailey;  
 A bill (S. 1940) granting a pension to Frances Fuller Victor;  
 A bill (S. 2008) granting an increase of pension to Peter C. Monfort;  
 A bill (S. 2013) granting an increase of pension to Sidney Leland;  
 A bill (S. 2049) granting an increase of pension to Franklin Taylor;  
 A bill (S. 2100) granting an increase of pension to John McGrath;  
 A bill (S. 2267) granting an increase of pension to Clara A. Penrose;  
 A bill (S. 2303) granting an increase of pension to Noah F. Chafee;  
 A bill (S. 2394) granting an increase of pension to Sybil F. Hall;  
 A bill (S. 2422) granting an increase of pension to John W. Burnham;  
 A bill (S. 2440) granting an increase of pension to John W. Gregg;  
 A bill (S. 2468) granting an increase of pension to Horatio N. Francis;  
 A bill (S. 2520) granting an increase of pension to Emma McLaughlin;  
 A bill (S. 2531) granting an increase of pension to William H. H. Scott;  
 A bill (S. 2562) granting a pension to Emma R. Pawling;  
 A bill (S. 2643) granting an increase of pension to Peter C. Cleek;  
 A bill (S. 2692) granting an increase of pension to Lucy W. Smith;  
 A bill (S. 2701) granting a pension to Thomas G. Foster;  
 A bill (S. 2732) granting an increase of pension to Marie J. Smyth;  
 A bill (S. 2767) granting an increase of pension to Albert D. Scovell;  
 A bill (S. 2802) granting a pension to Martha R. Osbourn;  
 A bill (S. 2867) granting an increase of pension to John A. Hazelton;  
 A bill (S. 2929) granting an increase of pension to Jacob Barton;  
 A bill (S. 2930) granting an increase of pension to Franklin B. Delany;  
 A bill (S. 2947) granting an increase of pension to Elizabeth A. Shaw;  
 A bill (S. 3021) granting a pension to India Stewart;  
 A bill (S. 3026) granting an increase of pension to Marie U. Nordstrom;  
 A bill (S. 3036) granting an increase of pension to Jason Leighton;  
 A bill (S. 3054) granting an increase of pension to Alice De K. Shattuck;  
 A bill (S. 3097) granting an increase of pension to Joseph A. Nunez;  
 A bill (S. 3257) granting an increase of pension to Elizabeth K. Prescott;  
 A bill (S. 3258) granting a pension to Simeon Partridge;

A bill (S. 3269) granting an increase of pension to Jane E. Tompkins;  
 A bill (S. 3284) granting a pension to Gilbert P. Howe;  
 A bill (S. 3322) granting an increase of pension to Joseph M. Clough;  
 A bill (S. 3328) granting an increase of pension to Heber C. Griffin;  
 A bill (S. 3403) granting an increase of pension to George M. Emery;  
 A bill (S. 3482) granting an increase of pension to Ida C. Emery;  
 A bill (S. 3553) granting an increase of pension to Mary A. Van Wormer;  
 A bill (S. 3559) granting an increase of pension to George E. Houghton;  
 A bill (S. 3704) granting an increase of pension to Frederick E. Rogers; and  
 A bill (S. 3182) granting an increase of pension to Mary Louise Worden.

## ORDER BOOK OF GEN. ARTHUR ST. CLAIR.

The joint resolution (S. R. 26) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair" was announced as next in order; and the Secretary proceeded to read the joint resolution.

Mr. HALE. Mr. President, to save further reading, at first glance it seems clear that this "Order book" ought to be and must be already the property of the Government. As the Senator who is in charge of the joint resolution is not present, I ask that it go over without prejudice.

Mr. MITCHELL. The Senator is entirely mistaken in supposing this "Order book" to be the property of the Government.

Mr. HALE. I want an opportunity to look into it at any rate.

Mr. MITCHELL. It is the property of a citizen of my State who lives in Portland, Oreg., and it comes down to him as an heirloom. I have it in my possession here in this building. It has been exhibited to the Committee on Military Affairs, and the result was a favorable report of this joint resolution.

The whole thing, I will state to the Senator, as shown by the joint resolution, is left in the hands of the Secretary of War. If, upon examination, he thinks that it would not be proper for the Government to purchase the book, of course he is not bound to do it. If he believes it is in the interest of the accuracy of history and would be a good thing for the Government to have, then the Secretary of War is authorized to purchase it at a sum not to exceed \$500.

Mr. HALE. Let the joint resolution go over for the present, and I will take an opportunity to look into the matter with the Senator.

Mr. MITCHELL. All right. I ask that the joint resolution may retain its place on the Calendar.

Mr. HALE. Yes.

The PRESIDENT pro tempore. The joint resolution will be passed over without prejudice.

## LIGHT-HOUSE DWELLING AT KEWAUNEE, WIS.

The bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to erect a dwelling for the keeper of the light-house at Kewaunee, Wis., at a cost not to exceed \$5,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BUSINESS OF THE SENATE.

Mr. HALE. Mr. President, that is the last bill on the Calendar, except pension bills and those which have been passed over. I have never known before in my service, either at this time in the session or even later, when the Senate has succeeded in considering all the cases on the Calendar, and has reached the last case. That is an indication that the Senate is doing business.

Mr. COCKRELL. I am sorry that when the Senator said that there was not a full Senate that they might have all heard it. Therefore, I suggest the propriety of a roll call.

The PRESIDENT pro tempore. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Deboe,	Hansbrough,	Money,
Allison,	Depew,	Harris,	Morgan,
Bacon,	Dietrich,	Hawley,	Patterson,
Bard,	Dillingham,	Heitfeld,	Perkins,
Berry,	Dolliver,	Hear,	Pettus,
Beveridge,	Dryden,	Kean,	Platt, Conn.
Blackburn,	Dubois,	Kearns,	Proctor,
Burnham,	Fairbanks,	McComas,	Quarles,
Burrows,	Foster, La.	McCumber,	Rawlins,
Burton,	Foster, Wash.	McLaurin, Miss.	Scott,
Clark, Mont.	Frye,	McLaurin, S. C.	Taliaferro,
Clark, Wyo.	Gallinger,	McMillan,	Teller,
Clay,	Gamble,	Mallory,	Wellington,
Cockrell,	Gibson,	Martin,	Wetmore.
Culberson,	Hale,	Mason,	
Cullom,	Hanna,	Mitchell,	

The PRESIDING OFFICER (Mr. BURROWS in the chair). Sixty-two Senators have answered to their names. A quorum of the Senate is present.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 283) granting an increase of pension to Robert M. McCullough;  
 A bill (H. R. 291) granting a pension to Christina Heitz;  
 A bill (H. R. 351) granting an increase of pension to Robert Carpenter;  
 A bill (H. R. 658) granting an increase of pension to John H. Jack;  
 A bill (H. R. 669) granting an increase of pension to Richard C. Smith;  
 A bill (H. R. 671) granting an increase of pension to Orra H. Heath;  
 A bill (H. R. 699) granting an increase of pension to Robert Miller;  
 A bill (H. R. 750) granting a pension to Martin Essex;  
 A bill (H. R. 809) granting an increase of pension to James P. Burchfield;  
 A bill (H. R. 918) granting an increase of pension to Charles Misner;  
 A bill (H. R. 1086) granting an increase of pension to Francis W. Pool;  
 A bill (H. R. 1090) granting a pension to James E. Bates;  
 A bill (H. R. 1190) granting an increase of pension to Albert S. Whittier;  
 A bill (H. R. 1278) granting an increase of pension to La Myra V. Kendig;  
 A bill (H. R. 1326) granting an increase of pension to Thomas Thatcher;  
 A bill (H. R. 1479) granting an increase of pension to Michael Marnane;  
 A bill (H. R. 1636) granting an increase of pension to James Austin;  
 A bill (H. R. 1694) granting an increase of pension to Henry Ball;  
 A bill (H. R. 1696) granting an increase of pension to Frederick A. Condon;  
 A bill (H. R. 1706) granting an increase of pension to John E. White;  
 A bill (H. R. 1714) granting an increase of pension to Levi H. Winslow;  
 A bill (H. R. 1724) granting an increase of pension to Daniel F. Thompson;  
 A bill (H. R. 1938) granting an increase of pension to Helen V. Rorer;  
 A bill (H. R. 2115) granting an increase of pension to Benjamin W. Howard;  
 A bill (H. R. 2207) granting an increase of pension to Louis Halm;  
 A bill (H. R. 2241) granting an increase of pension to Dorothy S. White;  
 A bill (H. R. 2417) granting a pension to James B. Harris;  
 A bill (H. R. 2440) granting an increase of pension to William D. Smith;  
 A bill (H. R. 2545) granting an increase of pension to Isaac H. Crim;  
 A bill (H. R. 2598) granting an increase of pension to Adrian M. Snyder;  
 A bill (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs;  
 A bill (H. R. 2618) granting an increase of pension to Michael Mullin;  
 A bill (H. R. 2619) granting an increase of pension to William Holgate;  
 A bill (H. R. 2661) granting an increase of pension to Oswald Ahlstedt;  
 A bill (H. R. 2781) granting an increase of pension to Patrick Lee;  
 A bill (H. R. 2919) granting a pension to Christiana Steiger;  
 A bill (H. R. 2981) granting an increase of pension to Thomas Findley;  
 A bill (H. R. 3022) granting a pension to Davis B. Salts;  
 A bill (H. R. 3238) granting an increase of pension to Lorenzo Weeks;  
 A bill (H. R. 3260) granting a pension to Jacob Golden;  
 A bill (H. R. 3420) granting a pension to Anna O. Brush;  
 A bill (H. R. 3427) granting an increase of pension to Sarah E. Allen;  
 A bill (H. R. 3514) granting an increase of pension to Theresia Ziegenfuss;

A bill (H. R. 3677) granting an increase of pension to James F. Gray;  
 A bill (H. R. 3826) granting an increase of pension to George W. Dodge;  
 A bill (H. R. 3859) granting a pension to James D. Johnson;  
 A bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin;  
 A bill (H. R. 3884) granting an increase of pension to Erastus C. Moderwell;  
 A bill (H. R. 3910) granting a pension to Dennis J. Kelly;  
 A bill (H. R. 4053) granting an increase of pension to Henry E. De Marse;  
 A bill (H. R. 4089) granting a pension to Ada L. McFarland;  
 A bill (H. R. 4116) granting an increase of pension to William Berry;  
 A bill (H. R. 4118) granting a pension to Charles Maschmeyer;  
 A bill (H. R. 4129) granting an increase of pension to Lonson R. Burr;  
 A bill (H. R. 4176) granting an increase of pension to Nathan W. Snee;  
 A bill (H. R. 4543) granting an increase of pension to George W. Parker;  
 A bill (H. R. 4993) granting a pension to Mary Shelton Huston;  
 A bill (H. R. 4994) granting a pension to Lydia Carr;  
 A bill (H. R. 5101) granting an increase of pension to Benjamin Contal;  
 A bill (H. R. 5110) granting an increase of pension to William H. Dixon;  
 A bill (H. R. 5190) granting an increase of pension to Alvin J. Hartzell;  
 A bill (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried;  
 A bill (H. R. 5254) granting an increase of pension to Enos G. Budd;  
 A bill (H. R. 5327) granting an increase of pension to William H. Mackey;  
 A bill (H. R. 5888) granting an increase of pension to Peter Poutney;  
 A bill (H. R. 5910) granting an increase of pension to Reuben Wellman;  
 A bill (H. R. 6020) granting an increase of pension to Russel A. Williams;  
 A bill (H. R. 6037) granting an increase of pension to William C. Holcomb;  
 A bill (H. R. 6107) granting an increase of pension to Elijah E. Harvey;  
 A bill (H. R. 6172) granting an increase of pension to Friedrich Weimar;  
 A bill (H. R. 6401) granting an increase of pension to David E. Hall;  
 A bill (H. R. 6438) granting an increase of pension to Matthew C. Medbury;  
 A bill (H. R. 6466) granting a pension to Josephine M. Dustin;  
 A bill (H. R. 6467) granting an honorable discharge to Samuel Welch;  
 A bill (H. R. 6481) granting an increase of pension to Millen McMillen;  
 A bill (H. R. 6617) granting an increase of pension to Hugh Cool;  
 A bill (H. R. 6727) granting an increase of pension to Remembrance J. Williams;  
 A bill (H. R. 6760) granting a pension to Susan House;  
 A bill (H. R. 6805) granting an increase of pension to Robert E. Stephens;  
 A bill (H. R. 6895) granting an increase of pension to Richard P. Nichuals;  
 A bill (H. R. 7076) granting an increase of pension to Leath Gilliland;  
 A bill (H. R. 7149) granting an increase of pension to Ephraim D. Dorman;  
 A bill (H. R. 7239) granting an increase of pension to William Christian;  
 A bill (H. R. 7250) granting an increase of pension to Margaret Hendry;  
 A bill (H. R. 7290) granting an increase of pension to Lizzie B. Green;  
 A bill (H. R. 7397) granting a pension to Louisa White;  
 A bill (H. R. 7529) granting an increase of pension to Philip Atwood;  
 A bill (H. R. 7572) granting an increase of pension to John Costello;  
 A bill (H. R. 7613) granting an increase of pension to Evaline Wilson;  
 A bill (H. R. 7683) granting an increase of pension to Almond Delamater;  
 A bill (H. R. 7704) granting an increase of pension to Christianna Leach;

A bill (H. R. 7710) granting a pension to Margaret Scanlon;  
 A bill (H. R. 7782) granting an increase of pension to Thomas P. Smith;  
 A bill (H. R. 7811) granting a pension to Mary King;  
 A bill (H. R. 7847) granting an increase of pension to Charles S. Wilson;  
 A bill (H. R. 7897) granting an increase of pension to Michael J. Daly;  
 A bill (H. R. 7998) granting an increase of pension to William H. Allen;  
 A bill (H. R. 8016) granting an increase of pension to Hannibal C. Saint Clair;  
 A bill (H. R. 8048) granting an increase of pension to James A. Bramble;  
 A bill (H. R. 8212) granting a pension to Alice Angel;  
 A bill (H. R. 8309) granting an increase of pension to Sylvester Holiday;  
 A bill (H. R. 8349) granting a pension to John Watts;  
 A bill (H. R. 8415) granting a pension to Mary L. Dibert;  
 A bill (H. R. 8562) granting an increase of pension to Sarah Ciples, now Vandemark;  
 A bill (H. R. 8651) granting a pension to Maggie Helmbold;  
 A bill (H. R. 8679) granting a pension to William J. Jones;  
 A bill (H. R. 8696) granting an increase of pension to William B. Rowe;  
 A bill (H. R. 8781) granting a pension to Mary E. Holbrook;  
 A bill (H. R. 8913) granting an increase of pension to Rachel S. Lyman;  
 A bill (H. R. 8921) granting an increase of pension to Jesse C. Rhodabeck;  
 A bill (H. R. 9069) granting an increase of pension to Erastus D. Canfield;  
 A bill (H. R. 9144) granting an increase of pension to James R. Wilson;  
 A bill (H. R. 9171) granting an increase of pension to William R. Howsley;  
 A bill (H. R. 9178) granting an increase of pension to John M. Howe;  
 A bill (H. R. 9301) granting an increase of pension to Barbara McDonald;  
 A bill (H. R. 9413) granting a pension to Mary E. Holden;  
 A bill (H. R. 9494) granting an increase of pension to Mary A. Address;  
 A bill (H. R. 9593) granting a pension to Elizabeth Rickey;  
 A bill (H. R. 9621) granting an increase of pension to Andrew Y. Transue;  
 A bill (H. R. 9625) granting a pension to Elizabeth L. Beckett;  
 A bill (H. R. 9791) granting an increase of pension to John Reep;  
 A bill (H. R. 9870) to correct the military record of Reinhard Schneider;  
 A bill (H. R. 9926) granting an increase of pension to James F. Patton;  
 A bill (H. R. 9928) granting a pension to Benjamin E. Styles;  
 A bill (H. R. 9986) granting an increase of pension to James Moore;  
 A bill (H. R. 9999) granting an increase of pension to George W. Guinn;  
 A bill (H. R. 10091) granting a pension to Blanche Duffy;  
 A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe;  
 A bill (H. R. 10141) granting an increase of pension to William R. Armstrong;  
 A bill (H. R. 10143) granting a pension to Anna Roderka;  
 A bill (H. R. 10193) granting an increase of pension to John Hollister;  
 A bill (H. R. 10289) granting a pension to Eliza Stewart;  
 A bill (H. R. 10361) granting an increase of pension to Alexander Scott;  
 A bill (H. R. 10396) granting an increase of pension to Elvin A. Esty;  
 A bill (H. R. 10404) granting a pension to John Y. Corey;  
 A bill (H. R. 10411) granting an increase of pension to Mary E. Singley;  
 A bill (H. R. 10532) granting an increase of pension to John L. Bowman;  
 A bill (H. R. 10773) granting a pension to Archer Bartlett;  
 A bill (H. R. 10840) granting a pension to Susan Warner;  
 A bill (H. R. 10841) granting an increase of pension to Margaret Hofer;  
 A bill (H. R. 10906) granting a pension to John W. Meade;  
 A bill (H. R. 10924) granting an increase of pension to Elias M. Haight;  
 A bill (H. R. 10957) granting an increase of pension to Mary E. Stockings;  
 A bill (H. R. 11011) granting an increase of pension to Emily J. Tallman;

A bill (H. R. 11025) granting a pension to Mary A. Carlile;  
 A bill (H. R. 11052) granting a pension to Nelson Johnson;  
 A bill (H. R. 11124) granting an increase of pension to Mary Scott;  
 A bill (H. R. 11125) granting an increase of pension to John S. Campbell;  
 A bill (H. R. 11145) granting an increase of pension to Mary F. Key;  
 A bill (H. R. 11327) granting an increase of pension to Charles E. Pettis;  
 A bill (H. R. 11375) granting a pension to Charles F. Merrill;  
 A bill (H. R. 11381) granting an increase of pension to Abraham N. Bradfield;  
 A bill (H. R. 11418) granting an increase of pension to Hannah T. Knowles;  
 A bill (H. R. 11619) granting an increase of pension to David A. Frier;  
 A bill (H. R. 11790) granting an increase of pension to Abel Woods;  
 A bill (H. R. 11831) granting an increase of pension to John W. Acker;  
 A bill (H. R. 11895) granting a pension to Thomas Holloway;  
 A bill (H. R. 12130) granting a pension to Christopher S. Stephens;  
 A bill (H. R. 12136) granting an increase of pension to Stephen May; and  
 A bill (H. R. 12315) granting an increase of pension to James Todd.

## PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries.

Mr. GALLINGER. Mr. President, I trust Senators who have been summoned to the Chamber will not labor under the impression that I had anything to do with the call of the Senate, as I propose to address the Senate a few moments.

Mr. COCKRELL. I take the responsibility for the call.

Mr. GALLINGER. Mr. President, as a member of the Committee on Commerce, from which the bill under consideration was reported, it is perhaps proper that I should occupy a few minutes in its discussion before the final vote is taken. I do not propose to discuss the details of the measure, which have received careful and able consideration from both sides of the Chamber. I have listened very attentively to the debate, and while some objections urged against the bill have disturbed me somewhat, I am nevertheless satisfied that the enactment of the measure into law is demanded by the best interests of the American people.

It has been well said that if the law works satisfactorily great good will come to the country, while if it fails to meet the expectations of its friends, it can, and doubtless will, be repealed.

Mr. President, I have little patience with the suggestion that Congress will never be able to repeal this legislation if it becomes law, and I have no patience whatever with the charge made in this Chamber that the moneyed interests of the country would prevent such repeal.

Mr. President, I have been a member of this body for eleven years, and as yet no attempt has been made to influence any vote of mine—at least, I have no knowledge of such attempt—by the railroads or steamship lines, or any other combination of capital, nor do I believe any other vote has been influenced by mercenary or other dishonorable considerations, and I suggest that no such intimations have a place in this Chamber.

Congress repealed the law granting a bounty to producers of American sugar, and Congress will repeal this law if it works disadvantageously to the best interests of the people of this country.

I am not troubled, Mr. President, about the constitutionality of the proposed legislation or the charge that the subsidy is a gift to private interests. Even if it shall prove to be a gift, it will be no worse than other legislation that has had the support of some Senators who seem to be greatly disturbed over the pending measure. At every session of Congress we vote a gratuity to the Southern railroads for the carriage of so-called fast mails. It is subsidy, and nothing but subsidy, infinitely less defensible than the provisions of this bill.

Millions upon millions of dollars have been expended on the Missouri and Mississippi rivers, ostensibly for the benefit of commerce, but in reality largely to protect private property. Very soon a river and harbor bill will reach this body carrying appropriations aggregating \$60,000,000 or \$70,000,000. Some of those appropriations will be for the deepening and enlargement of streams that can never be made of any real advantage to the commerce of the country. The Trinity River, with its \$1,000,000 largess and its artesian wells, and our old friend, the Ouachita River, will again be on deck, and numerous insignificant streams will be here demanding and receiving recognition by way of an

appropriation. The capacious and rapacious maw of the Mississippi River will be wide open, and additional millions will be poured into it above New Orleans, not for commerce, but for the protection and preservation of the plantations along that mighty stream.

Senators on both sides of the Chamber will vote for those appropriations, but when it comes to this bill, designed to rehabilitate the merchant marine of the country in the hope that the American flag may be seen in foreign ports and on the high seas, Senators on the other side work themselves into a frenzy and indulge in wild denunciation of the proposed legislation as an improper, unjustifiable, and unconstitutional expenditure of public money. Out on such inconsistency!

The able and erudite senior Senator from Wisconsin [Mr. SPOONER] says this legislation will do no good, because England, France, and Germany will retaliate by increasing their subsidies, and thus our legislation will be nullified. That may be so, and yet, at best, it is a prophecy. My answer to that is that they may or may not do it. If they do it, I would then favor increasing our subsidy, and, to use an expression not exactly nautical, I would have our Government "play the game to the limit" until such time as we secured the desired result. We can not always submit to a condition that enables foreign governments to carry more than 90 per cent of our products in foreign vessels. We shall never see a more propitious time to try the experiment than in this era of marvelous industrial and commercial prosperity.

Foreign governments may increase their subsidies, but it is absolutely certain that at the present time some of them are greatly disturbed over this proposed legislation. The Boston Herald editorially opposes this bill, yet I find the following dispatch in its news columns:

FEAR OUR SUBSIDY BILL—BRITISH SHIPOWNERS BELIEVE IF IT BECOMES LAW IT WILL BE A BLOW TO BRITISH SHIPBUILDING.

[Special cable dispatch to the Boston Herald.]

LONDON, February 4, 1902.

British shipowners have been watching with great interest the efforts of the United States to foster the growth of the merchant marine. They believe that if the subsidy bill in Congress becomes a law it will deal a severe blow to British shipbuilding. To-morrow the chambers of shipping of the United Kingdom will meet. Colonel Ropner, M. P., will be reelected president. In the speech which he will deliver he will point this out as a danger which is threatening Great Britain's supremacy in the ocean carrying trade.

The London Times, in a recent editorial, sounds a note of alarm and calls on British shipowners to make the best defense they can against what that great paper calls "a very serious attack." The Times also says that it will be "even more severely felt by the subsidized mercantile marine of the Continental nations."

Mr. Tyrrel E. Biddle, in a recent communication to the Washington Post, gives an interesting sketch of a conversation in the Liverpool Exchange, participated in by British capitalists and shipowners, the significant remark of one of them being:

If that shipping bill is passed, it will be the last straw on the back of British commerce. Your protective duties have injured our trade immensely. All we have left is our ships. Take them from us, and good-by to England's commercial supremacy.

Mr. President, it goes without saying that if this bill is bad for Great Britain and the Continental nations it must be good for the United States.

In the interests of commerce it is proposed that the Government shall build an interoceanic canal, the cost of which will be hundred of millions of dollars and the value of which to the commerce of the United States is largely problematical. No one is wise enough to state with any degree of accuracy the cost of the canal, its value to commerce, or its cost of maintenance. One thing, however, is known about it, and that is that the construction will take at least \$200,000,000 out of the Treasury, and many thoughtful people are prepared to see that amount doubled before the enterprise is completed. But even those startling figures do not seriously disturb the American people, who have decreed that the canal shall be built and who are willing to take chances in the matter of its construction.

Equally have the American people decreed that the American merchant marine shall be restored to the seas, and it is incredible that such intense opposition is shown to this bill, which, at most, will take from the Treasury a comparatively small sum, which expenditure can be terminated at the will of Congress.

Mr. President, I shall be glad of an opportunity to give my vote to this bill. Experiment though it be, it appeals to my Americanism. I am willing to risk something in the attempt to restore our flag to the ocean and to put lines of steamships on the great highways of commerce. If it succeeds, it will be the grandest achievement of the century, while if it fails it will be no reproach to those of us who made an honest effort to bring about the desired result. I have faith to believe that it will succeed, and in that faith I give my unqualified support to the bill under consideration, which has received the mature and patient consideration of the Committee on Commerce, a committee which is presided over by a Senator who has made this question

a life study and on whose judgment and integrity this Senate can safely rely.

Mr. President, my purpose was to say a single word on the general propositions of this bill, and, with this single word, I am content to listen to other Senators who desire to occupy the brief time remaining between now and the hour fixed for the final vote.

Mr. PATTERSON. Mr. President, I want to say a few words in behalf of the amendment which I have offered to the bill. That amendment provides:

SEC. 16. That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof.

That amendment, Mr. President, was offered, and is urged at the request of the American Federation of Labor, the Chinese-exclusion commission of California, and the International Seamen's Union of America. Under our shipping laws as they are American seamen have been driven from the Pacific coast. I desire to distinguish between American seamen and white seamen, but American seamen have been driven by the Dingley maritime act of 1884 from the Pacific coast.

Under the provisions of that act the shipmaster may ship his crew in any port in the world, and the American lines upon the Pacific coast, taking advantage of that permission, ship their crews for the round voyage at Hongkong, and not less than from 75 to 80 per cent of the crew of the vessels that ply between ports on the Pacific coast and Chinese ports are Chinese sailors. The chief purpose of the subsidy bill, as stated by the honored Senator from Maine, is to equalize by subsidy the larger cost of sailing American vessels in the foreign trade with the lesser cost of sailing foreign ships in the same trade.

I deny the existence of any such difference, for under the act to which I have referred the owners of lines upon the Pacific coast may go to the cheapest market in which sailor labor is supplied and there secure the crews that are necessary to man and sail their vessels.

Captain Seabury, one of the captains in the employ of the Pacific Mail Steamship Line, testified before the Committee on Immigration of the Senate but a few days ago, and he was asked what were the wages paid to American seamen. His reply was:

We have not had any American crews. We can not get them. We could not get Americans, and I could not tell.

It is perfectly plain why that company employs Chinese crews, when we remember that the Chinese sailor is paid but from \$7.50 to \$9 per month in American money, while the white sailors must be paid anywhere from \$25, which is the lowest, to \$35 and \$40 per month.

It is claimed, Mr. President, that it is impossible to secure white crews upon the Pacific coast. I start out with the admission that American crews can not be secured, for the simple reason that the better wages for land labor and the inherent dignity of the American citizen will not permit an American to work side by side with the slavish race across the Pacific. But that white crews may be secured at the average and usual price paid for white sailors has been amply proved by the testimony before the committee of the Senate.

There are but two lines upon the Pacific coast—American and British—which carry Chinese crews. The Pacific Mail Line has three vessels. The North Pacific Line has two vessels. Upon these five vessels from 75 to 80 per cent of the entire crew are Chinese. The Canadian Pacific Line carries Chinese below the decks, but they have no Chinese upon the decks, for their officers belong to the royal navy reserve, and Great Britain, mindful of the necessity of competent men to man its navy, will not permit Chinese to be carried under its blue flag. There is a Japanese line called the Nippon Yusen Kaisha, a subsidized line, and this line carries none but Japanese sailors. The carrying of Chinese sailors is prohibited. Then there is the Oceanic Steamship Line, which plies from San Francisco to Australia and to the South Seas. It touches at the harbors of Sydney, Melbourne, and other ports in those seas, and this line carries not a Chinese person upon or below decks. The reason is, Mr. President, that none of the subsidy which is given by New Zealand to its ships will be paid to ships that carry Chinese sailors, and then again the laborers of both Sydney and Melbourne arise whenever a Chinaman is known to have been brought into those ports upon ships of any nation.

Then we have an American line which plies from San Francisco to San Diego and way up north to Alaska and the Klondike, and upon the ships of this line not a Chinese sailor is carried. The testimony before the committee was that there was no trouble whatever in getting Caucasian crews in any of the ports of the United States or the ports of the Orient. In Hongkong or wherever American or other ships touch if white crews are desired they are available. So that the plea of necessity does not exist. It is purely a matter of dollars and cents to the owners of the ship

lines, and, permitted to follow the dictates of their greed, naturally they secure the cheapest seamen whom money will hire.

It is true, Mr. President, that Chinese sailors are desirable for some purposes. They are obedient, they are sober; but while they possess traits such as these, it has been the experience from the time that Chinese sailors first manned vessels between the Pacific coast and China that in times of emergency they have always proved miserable failures. We know from those who testified before the Senate committee that in cases of wreck or collision where it required bravery and presence of mind in the crews, the Chinese have always proved a failure, and ships have been lost and hundreds of lives sacrificed in the waters of San Francisco simply because in times of peril the Chinese crew were stricken by panic, and for that reason there has been a failure to save lives which otherwise would have been saved.

Mr. Furuseth, who testified in behalf of the Seamen's Union, speaking of the supply of Caucasian sailors, said:

There never was in the last forty years any time in which white seamen could not be obtained in the ports of the United States by paying for them nor in any ports of the Orient, and no one has known that any better than the American shipmaster, as attested by his practice.

He finds it cheaper to drive men to desert in oriental ports, that he may replace them with cheaper men.

We have a proposition by which millions of money are to be provided for shipowners. There is not a dollar nor a measure of relief suggested in this bill for the American sailor or for the white sailor. The white sailor must continue to contest for employment at fair wages with the cheapest and poorest paid sailors upon the face of the earth; and I suggest that if we are to improve American shipping, if we are to increase the number of American ships that ply between the United States and foreign ports, some measure should be adopted to elevate the character of the crews that may now be employed, giving to them better wages and more comforts, in order that the tendency of the American man and boy away from the sea may be turned toward the sea, and we may thus be enabled to man American ships with American or Caucasian crews.

We know, Mr. President, that even in our coastwise trade, by reason of the illiberal laws applicable to the man before the mast and the stoker in the hold, while there are 40,000 seamen engaged in that trade there are not 75 per cent of them American citizens. They are from every country except the United States, and I suggest to the Senate that it is time that its attention be turned to the encouragement of American seamanship as well as to the encouragement of American shipowners and shipbuilders.

As has been said time and time again, and no greater truth can be uttered, that in the hour of peril, when this country may be assailed from without and its life or its integrity threatened, we must depend upon the American sailor, and if our ships are manned by aliens above decks and between decks, members of a servile race, what is to be the outcome when this country may be matched upon the sea, perhaps with several of the largest naval nations in the world?

Germany to-day is the only nation whose men have a tendency toward the sea. The men of Great Britain seek the land rather than the sea. Men of the United States remain upon the land rather than take to the sea for a living. The reason is our legislation has tended against the interest, the upbuilding of the character and dignity of those to whom we must look to man American ships. This has been the trend rather than to build them up and to strengthen them, to give them the pay they should receive, and to instill into them that self-respect and love of home and country essential to creating great and brave and competent seamen.

Mr. President, I pray that I may live long enough to realize that our country is spontaneously recognized as the greatest on the planet. I will glory when the time comes that our ships will speed through every sea, bearing the commerce of the world between all its ports. But, Mr. President, ill fares the nation that mans its ships with foreign sailors. To do so is unassailable proof that it treats its citizen sailors meanly, and in its system are the seeds of decaying manhood and valor.

Let us have brave ships carrying the flag of freedom and commerce to every wharf laved by the rising and ebbing tides. But let not those ships be manned by an alien and degraded race, but rather by men of our own citizenship, sailors who brave the storms of the ocean, grateful for the protecting laws of a watchful and generous country and so deeply imbued with love for it that, if needs be, when that country may be assailed they will crimson the white foam of the ocean's crested waves with the last drop of blood from their patriotic hearts.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MONEY. Mr. President, I supposed some one on the other side in the fifteen minutes allowed under the rule, would reply to the remarks made by the Senator from Colorado.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. MONEY. If no one on the other side desires to speak, I will occupy fifteen minutes.

Mr. President, this bill is obnoxious to me in principle and objectionable in its details. It has been so thoroughly discussed and has been attacked with such force that I see nothing for me to do but to thrash the old straw a little. There are some deficiencies which perhaps have been overlooked, but in the main the argument has been exhaustive, and the report of the minority of the committee itself, if read by the public and by Senators, is sufficiently convincing, it seems to me, without any argument here. There are some things, however, which have been passed unnoticed, and without any attempt to go into the bill in detail in the short space of fifteen minutes, I wish to call attention to one or two of them.

In the first place, we have heard a good deal from the other side of the Chamber about the great loss we are suffering every year, amounting to a hundred and sixty or a hundred and sixty-five million dollars a year, paid to foreign carriers for transporting our products from our shores; and I suppose it might be added for transporting other people's products to our shores, because commerce is not a one-sided affair. It means an exchange of products, an exchange of human service, in which the merchandise or the produce is the concrete; and it must be two-sided.

Have we lost money by that transaction? Do Senators speak advisedly when they say we have lost anything by paying foreign bottoms for carrying our commerce—that is, the outgoing commerce, or the incoming commerce, for that matter? We have never paid a solitary dollar for which we did not get full value received; else we would not have paid it. You might just as well say that you have lost a hundred thousand dollars in building up a plant of any description, or \$20,000 which you have paid a contractor for building you a house, because you have parted with the money. You may say when you pay the servant at your house, or your grocery bill at the corner, that you have lost so much money because you have paid for some human service rendered or some article that is the product of human labor. You have gotten the value of your money and you have lost nothing. But on the contrary you have gained a great deal. In other words, you have hired a man or a number of men to do a certain thing cheaper than you could do it yourself, and you have made money by the transaction.

Then in what sense have we lost anything? It is said because our cash has gone into other hands. If we want the home market for ourselves, and if then we want to legislate in such a way as to secure the foreign market as well, by enabling the American manufacturer through the protective tariff to sell his goods abroad from 40 to 60 per cent cheaper than he sells them to his own fellow-citizens at home, in the neighborhood of his factory, are we on top of that not to permit the man who comes here to buy our products to carry home in his own ship what he wants? So we have lost nothing in this regard. But on the contrary we have been a great gainer.

We do not hesitate to employ the foreigner, who comes here at the rate of a million or so a year, to follow the plow and to work in the factory, and we do not think the money paid him has been lost, but we are gainers by it. If his labor was not worth it, he would not receive the pay. We have paid for services that were more valuable to us than the price asked or we would not have paid it, and whenever the pay is not adequate then we will not be able to get anybody to perform it for us, and we will of necessity have to perform it for ourselves.

But it is said we want to build up the shipbuilding industry. Here we have the testimony not only of the Commissioner of Navigation but of the shipbuilders themselves and all the papers that represent the shipping interest, and the Commissioner says that for the past three years we never have had such prosperity in our shipbuilding yards. Does it make any difference, as it seems to to the Senator from Ohio [Mr. HANNA], whether the ships are for the coasting trade or for the foreign trade? Why keep up shipyards at all? To have ready the personnel and the material to do anything that may be required by the needs of this country in time of war. That is all, and there is no other reason which can justify a man in voting a tax upon the people to be given to one particular interest. It must be for some ultimate purpose of government. It can not be for the interest of a number of people. The Supreme Court has decided, in the Boston bond case, on account of the great fire, and in the case of the cotton factory in Maine, the Topeka Trust Company case, and a great many other cases, that no matter how largely diffused may be the public benefit of a tax laid upon the people by law, unless it is for governmental purpose or benefit, it is not constitutional.

Now, of course, the word "constitutional" palls upon the ears of people here. Some of them dislike to hear this "damnable iteration" in this Chamber; but we must come to it now and again.

The shipbuilding interest is not an infant industry. Does it

need any subvention or subsidy from the United States? The shipowners are rich people, and, according to the statement of the distinguished chairman of the Committee on Commerce, who opened this debate, about \$1,700,000 will go to one company, which, I believe—at least, I have been told—is the richest corporation in the world owning ships. It is true we are told that all the interests are now agreed and harmonious; that there is no longer any trouble about it. There was a discordant note once. I believe Mr. Hill, a great railroad owner, objected to the bill, but he has become pacified, because he is himself now entering the business, and so, too, he has renounced the principles he advocated and has joined the order of mendicant millionaires, who come here to beg for subsidies, and who, when they are before the committee, confess that they are rich and are making money all the time.

The shipbuilders seem to be doing well. Why more men are not attracted to the business, except that there are more inviting fields open, I do not know. But I can point you to an industry very much more extensive than that of shipbuilding or ship sailing, and it has no subsidy, and it is unlikely ever to have one, and yet in point of distress and in point of inability to make money or even to live it needs more assistance; but it does not ask it.

I have mentioned the report of the Commissioner of Navigation. I do not know whether Senators are going to accept it or not. I find that his reports are used on each side of the Chamber. I find that he is a man of very versatile talents, and he can report in either one way or the other. He has been designated by the Senator from Iowa as an exceedingly useful man. A weathercock is a very useful thing, and the more easily it turns upon its pivot to every breath of wind, the more useful it is. And, generally, when political weathercocks will not turn they are taken down and others put in their places.

We sometimes hear his arguments and opinions quoted and sometimes his statistics. They are so contradictory that you can take your choice. It reminds me of an old colored man who wanted to teach school. He appeared before the board of trustees. He was asked, "What do you teach?" He replied, "reading, writing, and arithmetic." Then he was asked, "Can you teach geography?" He said, "yes, sir." He was asked, "Do you teach that the world is round or flat?" He replied: "I can teach either that it is round or flat as the trustees desire me to do;" and that seems to be what is the matter with the report of the Commissioner of Navigation. He can make the world round or flat just as the authorities may ask him to do.

There is a provision in Title III which nobody seems to consider. It gives a bounty to the deep-sea fisheries. We know that formerly there was a bounty on the amount of fish caught, and that industry has always been exempt from the tax on salt, while the people of the South and the West and all other portions of the country pay a tax on the salt used in salting down meats for domestic use, etc. But in addition to that, now we are asked to levy a tax upon the people to pay a bounty to this industry, because it is supposed, and I presume it is true, to be the nursery of the seamen of the United States; that it is the prime source from which we are to draw hardy fighting sailors, such as shed luster upon American arms in the war of 1776 and 1812 and subsequently. That may be true. But what is the justice to the other people who pay the tax and get no bounty upon so many acres in cultivation or so many mules used in plowing? We hear no complaint that these men are not doing well.

Now, suppose, Senators, that instead of this bill having been framed as the Senator in charge has stated to us, by those interested in it and friendly to it, we had called upon a lot of farmers from the West and the South to do it, would they have put in the bill any such provision as to the deep-sea fisheries? On the contrary, they would have been apt, if they followed the dictates of human nature, to say, "you shall pay the same tax on salt that we do, and considering how much has been paid into your pockets out of our pockets, we will give you half of all the fish you catch." That would be as fair a proposition as this. The farmer is called upon to give a part of what he makes to the fisherman, and he is called upon to take a part of what he makes and give to the millionaire who owns lines of ships and who owns shipyards.

Now, there might be some comment made, and I think justly, upon that provision of Title I for ocean subsidies. I am one of those, and I may be alone here on this side of the House, disagreeing with the minority of the committee on this single point, who believe it would be good policy if Congress should have a report from the Postmaster-General, after full consultation with the Secretary of the Treasury, as to between points where we now have no mail and no commerce a line of ships with a reasonable subsidy could be placed, so as to extend American commerce. I think that would be for the public benefit in a very material degree and would not come within any inhibition of the Constitution. I recollect that the first subsidized line that ever existed was under a Democratic Administration. But it was a defined line for a defined route and for a specified time.

Now, we understand that the American Line, I believe it is, is

to get \$1,717,000 for semiweekly trips from New York to Southampton or Liverpool. Do we need to expend one single dollar there beyond what we pay already? Not a single cent. It will open no new avenues of commerce. We do not advance a solitary producing interest in the United States one cent, but it is a mere bounty, and nothing else, to a corporation which least of all needs to have a single cent paid to it. There are on the average about two steamships leaving the port of New York every day of the three hundred and sixty-five for English ports, and some of them are new ships that run from 24 to 25 knots per hour, yet Congress is to ask the postmaster of New York to detain the mail three days and a half in each week to send it upon subsidized steamers that have not the speed of the fleetest, and thus the commercial business, for which this whole thing is organized, suffers by the delay of its mail. Mr. President, the motto of the postal service of every country in the world is certainty, celerity, security; and here you have destroyed at least one of the main elements, that of celerity, in order to give this bounty to a company which does not need it in the transaction of its business.

As I had the pleasure of remarking the other evening when I yielded the floor, we can not expect to carry all the mails in our ships, because our mail consists just as much of letters received as of letters sent, and if retaliation is to follow, as the Senator from Wisconsin very ably said the other day, and it will undoubtedly do so, then we shall have the British sending over their mail in exclusively British ships, and the French and German and so on doing the same, each nation sending its mail to us concerning our mutual intercourse commercially in its own ships.

The PRESIDING OFFICER. The Senator's time has expired. The pending amendment is the amendment proposed by the Senator from Iowa [Mr. ALLISON]. It will be read.

The SECRETARY. On page 1, line 10, after the word "Postmaster-General," insert "until July 1, 1910."

The PRESIDING OFFICER. The question is on agreeing to this amendment.

Mr. BERRY. I think it was not expected that under the agreement a vote should be taken on amendments before 3 o'clock.

The PRESIDING OFFICER. The Chair so understands.

Mr. ALLISON. I ask that the order may be read. I should hope that we may go on, if no one desires to speak, and make some progress with the amendments.

Mr. BERRY. Senators, then, ought to have had notice, so that they might be here to vote.

The PRESIDING OFFICER. The agreement will be read.

The SECRETARY. The agreement is as follows:

By unanimous consent, it is agreed that on Monday, March 17, at 3 o'clock p. m., a vote shall be taken without further debate on all amendments submitted and to be presented to S. 1348, "To provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries," and then on the bill.

On March 15 it was further agreed that—

on Monday, March 17, until 3 o'clock, debate shall be limited to fifteen minutes for each Senator, excepting the President pro tempore, who shall have one-half hour.

Mr. BERRY. I do not think we can vote on any amendments before 3 o'clock.

Mr. VEST. Mr. President, I do not propose to say anything about the unanimous-consent agreement, but I have offered, or given notice of my intention to offer, three amendments, about which I desire to speak very briefly.

The first of these amendments is the repeal of all those parts of the navigation laws which prohibit a citizen of the United States from purchasing his ship where he can buy it cheapest and putting it under the American register. In other words, it is a proposition for free ships pure and simple.

The second of the amendments which I intend to offer is to extend, specifically, the provisions of the antitrust law of 1890 to shipowners and shipyards which enter into any combination or conspiracy in restraint of trade.

The last of the amendments is a simple proposition to allow an American citizen who builds or buys his ship abroad to place it under American registry without subsidy and without the privilege of entering his ship in the coastwise trade.

Now, Mr. President, there are a few salient points in this debate which possibly it is well to accentuate very briefly and without exhausting the patience of the Senate.

The senior Senator from West Virginia [Mr. ELKINS], for whose business discernment and practical statesmanship I have as much respect as anyone possibly can have, dwelt the other day with much emphasis upon the immense amount of money paid by the people of the United States for carrying abroad their exports, and he repeated the statement often made that \$200,000,000 a year is paid by us to foreigners to carry abroad these exports. It has been stated very often that \$600,000 in gold is paid every day by the people of the United States to foreigners for carrying abroad these exported articles.

Mr. President, this is a gross exaggeration. I would be glad if every pound and every ounce of exports in this country should go

abroad under the American flag and in American ships. But the navigation laws, as I honestly believe, have trampled the life out of the merchant marine of the United States, and we, the great progressive Republic of the world, the great exemplar of Christianity and civilization, stand to-day isolated and alone in this barbaric exclusion of the right of an American citizen to buy his ship where he can buy it cheapest and then put it under the flag of his country. Even China, whose ports have been opened with shot and shell to the commerce of the world, has repealed her navigation laws; but the United States, singing paeans every hour to our glory and patriotism, under the control of the great party that has made us a world power and said our flag shall float in triumph everywhere, stands isolated upon the old, obsolete, and miserable navigation laws that say to an American citizen, "You shall not have a ship unless you build it in the United States and pay the prices charged by American shipbuilders."

Now, Mr. President, what is the truth in regard to this allegation of \$200,000,000 being paid every year to foreigners to carry our commerce? The Commissioner of Navigation in his report for the last year states that after an examination—after an inquiry—he finds that there were 673,455 tons of shipping owned by Americans sailed under foreign flags. He finds that citizens of the United States own 136 steamships that to-day are plying the ocean under foreign flags. If this statement be true, and I have no doubt that it falls under the mark, it shows that Americans own abroad more steamships than we have now under registration in the United States.

I am astonished that the senior Senator from West Virginia, so accurate and acute in regard to all business propositions, has overlooked this conspicuous fact, and that he also ignores the other fact that a large portion of the money received by these ships under foreign flags is spent in the United States for repairs, for supplies, and for wages for seamen at our different ports. But the country—at least that portion of it that is willing to accept without inquiry any proposition made by the dominant party—seems unwilling to believe that this is any exaggeration, and that this enormous amount of \$500,000 or \$600,000 a day in gold is paid out to foreigners.

Mr. President, this debate is to be closed by my distinguished friend, the chairman of the Committee on Commerce and President pro tempore of the Senate. For more than twenty years I have served on the Commerce Committee with that distinguished statesman, and while we have never agreed, especially in regard to the question of the merchant marine, there has never been a shadow cast upon our personal relations and friendship. I ask that Senator, in closing the debate upon this question, which has excited so much diversity of opinion for so many years, to tell us why Great Britain, with 53 per cent of the carrying trade of the entire world, pays more to her seamen in wages and more in the expense of running her ships upon the ocean than any country in the world except the United States?

In his opening address the Senator from Maine declared to us that the crucial point in this discussion as to the difference between the expense of running an American ship and one under a foreign flag consisted in the difference of wages. How is it possible, if wages is the crucial point, that Great Britain, with 53 per cent of the entire carrying trade of the world, pays more wages and pays more in the general expenses of her ships than any country in the world except the United States, and why is it that Norway, whose seamen live, as the Senator has often told us, upon black bread and smoked fish, and who receive a pittance as compared to that paid to the Chinese sailor, how is it that Norway, with all the high motive and love of the sea which has characterized that people for two hundred and fifty years, lags behind in her merchant marine and can not even approximate to the prosperity of England?

Again, Mr. President, I want the distinguished chairman of the Committee on Commerce to tell us why it is that the English tramp ships, which dominate the ocean, which are seen in every port, which carry her commercial flag everywhere, have never received any subsidy, not even increased mail pay, if that is the cause of it, and why is it that under the bill now before us we are, in taking millions out of the common Treasury of the people of the United States, decreasing the subsidy upon the freight ships which must come in direct competition with the tramps of Great Britain but increasing the subsidy paid to the swift liners of the ocean that do not carry freight and are intended only to carry the mails?

Mr. President, I should like to ask the chairman of the committee to tell us, as a matter of information, why it is that this subsidy is paid to corporations whose ships are now upon the ocean? Why is it that the capitalists who have put together their capital in order to accumulate additional interest and property are the principal recipients under this bill? Does the American company need a subsidy? The president told us in the Commerce Committee that he made money in summer and lost some in the winter, and he had not been able yet to declare a dividend; but

when asked the question directly by a member of the committee, the Senator from Arkansas [Mr. BERRY], "Mr. Griscom, is your company making money, on the whole, or not?" he declined to answer.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FRYE. Mr. President, I should like to answer one of the questions at the present moment, if I may, without interfering with the unanimous-consent agreement.

The PRESIDING OFFICER. The Senator from Maine will proceed.

Mr. FRYE. Eight years ago Great Britain was carrying 63 per cent of the commerce of the world and to-day she is carrying only 53 per cent. She is losing the carrying trade of the world. When Norway a year ago applied a subsidy to her ships there was a discussion before the English Board of Trade to know what they should do to escape, as it is taking away from them their trade between England and Norway.

Mr. HANNA. Mr. President, as a summing up of the arguments on both sides in this debate, I can see but little change in the argument and opinion which differs from political lines.

I have heard the arguments upon the other side against the building up of our merchant marine and favoring the free-ship dogma of the Democratic party, which has been their principle and guide in this matter for many years. We who have been responsible for the legislation which has so much contributed to the development and prosperity which seem to be admitted freely upon the other side are pursuing that line of policy in a direct way, keeping apace with the conditions as they arise in the development of our country and our resources.

Mr. President, I have failed to see and understand a single argument against this bill that changes in one iota from the argument we have heard against it ever since the question was mooted before the public and in the Halls of Congress. Some on the other side seemed to agree that it would be all right to pay a postal subsidy to mail lines, creating lines where they knew the United States Government demanded mail service, without any regard to the condition, which must be a part of that agreement, as to who is going to furnish the ships.

It is claimed that this subsidy will encourage ships to sail without cargo for the mere purpose of earning the subsidy. Mr. President, that is simply absurd. No ship could afford to leave an American port for a foreign port in ballast or empty for the sake of drawing the subsidy. No owner of any ship would go in the face of an absolute loss. Therefore, if we are to have an upbuilding of our merchant marine the lines must be established where there is a fair prospect for business. The benefits, then, do not end with the ship alone, but ramify through all the interests of the country in our export trade.

The Senator from Missouri [Mr. VEST] asked if we lose anything by permitting foreign ships to carry our products. I would answer that question by simply repeating the figures that the senior Senator from California [Mr. PERKINS] used in his speech the other day, which I am glad to have the opportunity to emphasize, because it is an object lesson.

From 1871 to 1901, inclusive, thirty-one years, the total revenue collected through the customs service of the United States reached the figure of \$5,999,449,241. The amount paid to foreign ships carrying American export products during the same period was \$5,867,671,350. The average receipt, in round numbers, of the revenue would be \$187,000,000 per year, and paid out, \$183,000,000 per year.

Now, Mr. President, we must consider the question whether it is a loss to this country or not, when all that the balance of the world pays for the privilege of our market is paid back from us, lacking \$5,000,000 or \$6,000,000 per annum, for the carrying of our products abroad. I have never thought that we were going to regain all that we have lost in the carrying trade of the world. As the country grows and the commerce of the world increases the percentage is changed. The object of those who are supporting this bill as an American policy, far-reaching as it is through all the ramifications of our business, manufacturing, products of the farm, products of the mine, products of labor, is that this one interest shall be relieved, which has gone down and down and down during the last century until we cut a sorry figure among the nations of the world, not appealing to patriotism, not entirely to self-interest, but to the general good of all the people and for the future development of our country.

Is not that a loss when we pay \$200,000,000 a year, and 25 or 50 per cent of it might remain in the hands of the American people? I should say it was a loss, and I say further, as I have often said before, there is no nation on the face of this earth that could stand the drain upon its resources as the United States. It is because of our enormous production and export trade that we lose sight of the important principle in this question, because we are not brought face to face with a tax deficit which would stagger us.

If the navigation laws now upon our statute books have had to do with the downfall of our merchant marine, they were placed

there by a Democratic party, and although that party has been in power many times since, to my knowledge it has never made an effort to repeal them. They are there just as the laws of protection to our industries are still there, because the results have proven that they operate for the benefit of America's interest.

When you say that they are responsible entirely for the degeneracy of our merchant marine, I say no. As conditions have changed, other countries with more centralizing power have improved their opportunity to meet that situation. They have not waited for a Congress nor for political parties to discuss the measure or the policy. With a clear insight of the necessities of the case they have acted and continue to act, meeting every condition as it arises. It is under that policy, Mr. President, that European nations have robbed us of the carrying power of the world.

I would say a word with reference to the Chinese-labor question. In the very early stages of this discussion the question was raised as to the employment of Chinese labor upon American vessels. I must confess that at that time I was partially ignorant of the situation, but on investigation I find that there are some lines on the Pacific Ocean that carry Chinese upon vessels in the fire hold as firemen, as coal passers, and perhaps as stewards, and a certain proportion of their crew. I find, upon further investigation, that the Pacific Mail is not the only line. I find that the German and the French lines are doing the same thing, and for a good and sufficient reason. I will read a quotation from the contract of the German Government with the North German Lloyd Line:

Asiaties shall not be employed in the crew on the Australian main line, and on the Chinese and Japanese main lines they may be employed only in the engine and fire rooms in so far as the employment of Europeans is impracticable for sanitary reasons.

The French Chamber, only in May, 1892, took up this same question. The article is long, and I will not read the whole of it; but they found themselves, under their law of long standing, requiring that two-thirds of the crew should be French. When they came to establish steamboat lines in the Orient and in the Tropics they found that "the colonial navigation in the Indian and China seas present special difficulties on account of climate. Our sailors, and particularly engineers, can not stand the Torrid Zone. Consequently all ships which frequent this ocean have a part of their crew composed of Chinese or Lascars, who alone are able to endure the climate. The French ships were under the terms of the navigation act of September 21, 1793, article 2, which provided that—

No ships shall be considered French if the officers and three-quarters of the crew are not French—can not share in this navigation unless they are allowed, like English, German, or other ships, to have half or three-quarters of the crew foreigners.

As a result ships sailing in the Tropics can not profit by the act concerning our merchant marine.

This was in connection with the increasing of their subsidy to their ships, and I want to mention here that the last amendment to the French law extends that subsidy, just as this bill proposes in Title II, and all the tonnage within certain descriptions and conditions owned by the Frenchmen.

These are questions which must necessarily be understood from the standpoint of those who operate and who will be charged with the responsibility of building up the new lines which we so much covet.

I do not think it is in good taste—it certainly is not good argument, to belittle the men or to cast sarcasm and suspicion upon the motives of the men who thus far and up to this time have done all that ever has been done, contributing their knowledge, their experience, and their means to the establishment of whatever lines of steamships we enjoy to-day in carrying our mails to foreign countries.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CLAY. Mr. President, the Senator from Ohio [Mr. HANNA] has made rather a remarkable speech, but he has not answered the questions which have been asked by this side of the Chamber.

Mr. HANNA. I did not have time.

Mr. CLAY. The Senator might have had a month and he could not answer the questions that have been propounded on this side of the Chamber.

The Senator said he did not know until the other day that foreigners were employed on our ships. I am fearful the distinguished Senator from Ohio has not read the report of the majority of the committee. If the Senator will turn to the majority report, and the Senator is a member of the majority, he will find that not only Chinamen are employed on the Pacific coast, but he will see from his own report that 70 per cent of our seamen engaged in both domestic and foreign trade are foreigners, and that only 30 per cent of them are American citizens. I now read from the report of the Senator from Ohio:

At the present time in all trades, coasting and foreign, as indicated in the returns of shipping commissioners, only 35 per cent of the crews of American vessels are Americans, including contract mail steamers, on which 50 per cent of Americans are now required.

Excluding mail steamers, the average percentage of Americans now employed, including many coasting voyages, can not reach 30 per cent.

Mr. President, if the Senator will investigate he will find that only from 28 to 30 per cent of the seamen now employed on our ships are Americans and the remainder are foreigners, and in many instances we pay the same wages that foreigners pay.

I heard the Senator from Wisconsin [Mr. SPOONER] ask the Senator from Ohio a question here on Saturday evening which has not been answered, and which I believe can not be answered. But before I get to that, I understood the Senator from Ohio to say that the Democratic party is responsible for the passage of the present navigation laws. If I understand correctly, the navigation laws came into effect in 1792, before the Democratic party ever took charge of this country. Mr. Jefferson was the first President ever elected on the Democratic ticket.

The Senator from Ohio complained of the amount we paid foreigners for carrying our exports.

I want to say, Mr. President, that the Senator knows that to-day nearly 700,000,000 tons of our exports are carried in ships that we pay for to American capital while they are under foreign flags, and that money is paid here at home. But I have not time to discuss that question at length.

The Senator from Wisconsin asked the Senator from Ohio how much money was necessary to equalize the difference in the cost of constructing and operating ships in foreign countries and in our own country. The Senator turns around and says, "I will discuss that later."

The Senator from Wisconsin asked the Senator from Ohio why the difference between the bill of the last session of Congress and the bill of the present session of Congress? I can turn to the report of the majority of the committee and can demonstrate, if that report is correct, that only 1 cent per gross ton is necessary to equalize the difference. If the report is correct, this bill ought not to pass in its present shape; it ought to be sent back to the committee, where it can be maturely considered and amendments be proposed, if this bill, even from a Republican standpoint, should pass. Let us see. I read from the majority report in relation to section 6 of the bill:

*Rate of subsidy.*—The general rate of subsidy proposed (page 7, lines 1-3) is 1 cent per gross ton per 100 nautical miles sailed. This rate is designed to equalize the difference in the cost of building in the United States and operating under American laws an ocean steamer in foreign trade and of building in Great Britain and operating under British laws a similar steamer.

One cent per gross ton.

Mr. HANNA. That is under title 2.

Mr. CLAY. Yes, sir; under title 2. I say the majority of the committee have themselves said that 1 cent per gross ton is all that is necessary to equalize this difference; but notwithstanding that fact you have provided here in some instances for nearly 3 cents per gross ton.

I turn over a little further in this report—I am afraid my friend the distinguished Senator from Ohio has not read this entire report—to page 28, and what do I find? I find that the majority of the committee tells us that \$1,072,095 per annum will be all that will be required to equalize the difference between the cost of the construction and operation of foreign and American ships. They say deduct that from the mail pay and it will leave \$858,542 as the amount necessary to equalize the difference between the construction and operation of ships in the United States and foreign countries.

Now, I want to call the attention of the Senator from Wisconsin to the fact that when you take the report of the same committee which was made at the last session, you find that they said it would take \$7,500,000 per annum to equalize the difference. How do the majority account for that difference? One year ago the majority of the Republican members of that committee stood here in this Senate unanimously declaring that about \$2,000,000 a year would be necessary to carry the mails, and that \$700,000 would equalize the difference in the construction and operation of American and foreign built ships; and yet that same committee at this session comes here and tells this Senate and tells the country that \$888,000 will equalize the difference this year in the construction and operation of American and foreign built ships.

The Senator from Wisconsin asked the question, How did the committee reach this decision? Why, Mr. President, this bill has not been maturely considered. Evidently they have not gone to the bottom of the facts. When we go to the public Treasury and take out three, four, five, or six million dollars every year to give to a dozen or two dozen people, to come out of the taxpayers of the United States, we ought to know exactly what we are doing; we ought to know what this difference is between the cost of construction and operation of American and foreign ships. The Senate can not trust a report of a committee which says at one session of Congress that it will take seven and one-half million dollars and at the next session that it will only take \$888,000. Mr. President, I repeat, the more you investigate this matter the more you will see that this bill is not founded upon business principles.

I wish to say that the Commissioner of Navigation himself

figured that it would take nearly seven and a half million dollars a year ago to equalize this difference, and he comes forward this year and tells us that \$888,000 will equalize it.

It is true that this bill provides for more than a million dollars per annum; but let us go to the facts and tell the truth. You know that this bill provides that \$4,700,000 of this subsidy shall go for the purpose of carrying the mails. You know that only \$888,000 will go as a general subsidy. There is not a Senator on the floor of this Chamber but who knows that this vast sum of nearly \$5,000,000 a year will never be used for the carrying of our mails. The Senator from Wisconsin said that it would not take any such amount, and he asked the Senator from Ohio to explain what amount was necessary to equalize this difference, and, Mr. President, the Senator from Ohio has made his fifteen minutes' speech and never referred to the question asked by the Senator from Wisconsin.

I want to call attention to another fact. A great deal has been said in this debate about building up our merchant marine. My friend, the distinguished Senator from Missouri [Mr. VEST], tells us that of the merchant marine of Great Britain less than 3 per cent of her tramp ships receive any subsidy at all.

The great ships that will receive the bulk of the subsidy under this bill do not carry any corn, they do not carry any lumber, they do not carry any cotton, they do not carry any of the farm products of our country. I hold before me now a ship's manifest, but I have not time to read it in the fifteen minutes which I am allowed to occupy. This manifest shows that neither the *St. Louis*, the *St. Paul*, the *New York*, nor the *Paris* carries a bushel of corn or a pound of cotton; none of them carries any farm products whatever, and the Senator from Ohio knows it.

Mr. HANNA. Mr. President—

Mr. CLAY. I yield to the Senator from Ohio with pleasure.

Mr. HANNA. The Senator from Georgia says the ships to which he refers do not carry any farm products. I reply that they carry more farm products than any other class of ships on the ocean—bread, meat, smoked meat, butter, cheese, lard, and other commodities of the farm, worth a great deal more in dollars and cents than the products to which the Senator refers.

Mr. CLAY. Bare assertion, Mr. President, is not argument, and I have before me the manifest of the *St. Louis*. How much corn did she carry? None.

Mr. HANNA. I am not talking about corn.

Mr. CLAY. I know you are not talking about corn. How much oats was carried by the *St. Louis*? None; hay, none; flour, none; cattle, none; horses, none; wheat, none; cotton, none; barley, none; cheese, none; bacon, 24 pounds of ham [laughter]; beef, none; pork, none; tallow, none.

My friend, if you will turn to the manifest of that ship you will see that though it carried a little dressed beef, though it carried a little champagne and carried a little crockery, yet the great producers of this country, the farmers, have no interest in the class of ships which this bill proposes to largely subsidize.

Mr. President, if I understand correctly the books which I have read in regard to shipping, what do we find? We find that the great bulk of farm products of our country have been carried in ships ranging from 9 to 12 and 13 knots; and the high-rate subsidy provided in this bill does not touch a single ship below 14 knots. I have before me also a manifest of a 12-knot ship which carried 24,000 bushels of corn; it carried 705 barrels of apples; it carried 3,400 feet of oak plank; it carried 11,850 bars of copper, and it carried 5,265 packages of oak strips. If you will go through it—and I will insert the entire manifest—you will find on a critical examination that nearly all of the farm products of our country are carried in ships ranging from 9 to 12½ and 13 knots.

The manifest referred to is as follows:

Amount of farm products carried by the *Georgic* and the *St. Louis*.

Freight conveyed.	Georgic, 13-knot ship.	St. Louis, 21-knot ship.
Corn.....bushels..	85,416	None.
Oats.....do.....	6,900	None.
Hay.....pounds..	117,290	None.
Straw.....do.....	12,005	None.
Flour.....barrels..	355	None.
Cattle.....head....	919	None.
Horses.....do.....	127	None.
Wheat.....bushels..	39,917	None.
Cotton.....bales....	10,965	None.
Barley.....bushels..	9,655	None.
Cheese.....cases....	571	347
Bacon.....boxes....	1,624	4,250
Beef.....quarters..	6,661	3,871
Pork.....boxes....	4,306	None.
Tongue.....barrels..	30	10
Tallow.....tierces..	250	None.
Mutton.....boxes....	131	None.
Wood.....cases....	648	None.
Hams.....boxes....	123	12

Mr. CLAY. I believe our friends on the other side concede that the mail subsidy in this bill will amount to nearly \$5,000,000 a year. I have not heard a single one of them say that it would take that amount for the purpose of carrying our mails.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WELLINGTON. Mr. President, I had not intended to make any remarks upon this bill, but some of the assertions made, I think, will not bear thorough investigation. The bill that was before the last Congress did not meet my approval, not because I did not believe in the principle of ship subsidy, but because I did not think there was a fair distribution of the moneys thus appropriated. But I believe this bill goes far in the direction of making good that defect. For that reason I shall give my vote for the bill.

The Senator from Colorado [Mr. PATTERSON] said this morning that one of the troubles with our shipping is that in the Navy we are employing foreigners of every kind and description as seamen. I believe that is true, and I agree with him that some measure should be taken to rectify that trouble. I believe further that that is not the only trouble in the American Navy. There is as much injustice in other departments of it as there is in this, but that question, to a certain degree, is foreign to the matter in hand. That question is this: Can we, or will we, by a ship subsidy build up the American Navy and make it such in the merchant marine as that it will to a great degree carry our own commerce and our own mail? If we can do this by subsidy, then I believe it should be attempted to be done, and for myself I further believe that it can be done.

You remember, Mr. President (Mr. BURROWS in the chair), that when the doctrine of protection was first attempted to be embodied in a bill—and as the years went by it was attempted again and again—it was said that the tariff would not do what was claimed by those who favored it; and yet, sir, the years and decades that have gone have abundantly proved that the tariff was the thing that would remedy the defects, and under the beneficent results of that doctrine our country developed its natural productions and resources until we became one of the greatest producing nations in the world; and yet to-day we present the curious anomaly of a nation producing much more than it consumes and not having enough ships to carry those products to foreign nations.

I believe, in the first place, it is our duty to build up American manufactures, not at the expense of the farmer, who is the bottom rock of our national greatness, but hand in hand with him; and after we have done that, then it is our duty also to encourage the building of American ships to carry American products.

The President pro tempore of the Senate, who is the father of this bill, who has spent years upon years in its consideration, I am sure should not be charged by the Senator from Georgia [Mr. CLAY] with presenting a bill that has been ill considered. These bills have been considered year after year. It is not a new doctrine or a new idea. The same assertions were made years and years ago when first the doctrine of protection was attempted to be applied. I believe that in the end there will be as much of success in this matter of subsidy to ships as there was in protection to American industry, and I believe that in the years of the future the name of this man, who has stood year after year making it his life's work, will go down with as much of applause and with as much of American gratitude following him as the name of Henry Clay, the great apostle of protection.

It is a sad sight, Mr. President, to see a great nation, such as ours, producing on the farms, in the fields, in the mines, and in the manufacturing establishments more than it can consume, with so small an amount of shipping. We were in the same condition years ago concerning production, and what helped us? Sir, we were helped by this doctrine of protection; we were helped by the great American system that stands to-day, under which our nation has grown great and strong and healthy and prosperous. It is demanded upon all sides. Then, why not follow this by making good this other defect, by increasing American shipping by the same principle that you have applied to other industries.

Sir, it is doubly necessary that you do this. Why? It is contended everywhere, and I believe it is true, that the subject of American wages is dependent upon the protective policy. It has been asserted time and again that without that protective policy American wages would go down in the scale and the wages of foreigners would go up. If that be true in one direction, if wages in one department be elevated, then they will be elevated in other departments, and the wages which American shipbuilders pay will be larger than those paid in Great Britain and in other European nationalities.

Not only that, Mr. President, but it is not a new policy in other directions. The nations of the world which have tried ship subsidy have succeeded in building up their merchant marines, while we, being idle in that direction, have lost the trade of the world.

Our friends say that we should not subsidize ships for the carriage of the mails. It is not a new doctrine to pay subsidies for carrying the mails. We have had one subsidy after another upon the American continent, one of which, you will remember, comes before Congress every year and causes a great debate. It has been gone over time and again. There is a subsidy given to the railroads which complete that great chain of intercommunication, making the North and the South one, by which the Southerner down by the Gulf has it in his power to read the New York papers the next morning after they are published. I believe in that subsidy. I believe it is good to have that subsidy. I believe that it benefits the country, as well as the railroads, to have that subsidy. It brings our people closer together, and it binds them, as it were, section to section, as one man. But if a subsidy is right upon your own land, why should it not be right when your ships go out upon the ocean to carry American mail to foreign lands?

I for one say there is every reason that we should so build up American shipping by such subsidies for the carrying of the mail, so that we can as the years go along regain inch by inch the ground we have lost in these matters, and that after a while the time will come when the products of the American manufacturer, when the products of the American farmer, and all that the American produces will be carried in American ships. The one is as much entitled as the other to this protection.

Why did we lose our supremacy upon the sea? In the first place, the people of the New England States, as you know, from the very beginning of the National Government took to the sea and engaged in the building of ships, and we had a great and prosperous condition of our merchant marine; but the embargo killed that, and it was years and years and years before we recovered enough to be able to say that the American shipper and American shipping once more were prosperous. Then came the great civil war, and the civil war practically wiped out American shipping. There was nothing of it left, so to speak. Then, from the time of the civil war until now, our people have been engaged with great and burning questions, one after the other arising and sweeping this aside. We took to them and we settled them one by one, and one of the greatest was the reestablishment of the doctrine of protection.

From 1865 to 1902, whenever this doctrine was in force, America was prosperous, and whenever this doctrine was stricken from the statute books and another placed in its stead there was a gradual decline of all that we did produce. All these things were improved, and therefore this matter of shipping was neglected. But great minds go ahead of the nation, and one of the great minds of this country devoted himself to this magnificent scheme, gave years of his life to it, and, whatever you may say, he did not present an ill-conceived and ill-digested bill. It is a bill of which he may be proud, and it is a bill upon which he may rest his fame when he leaves the Senate.

Mr. President, I do not agree with the Senator from Georgia that the farmer has no interest in this matter. The farmer is as much interested in building up the merchant marine of this country as any other class of citizenship in the country. Do we not know that the wheat of this country supplies the world, and why should he not be interested in it? It may not go in a certain kind of ship as wheat—it may go there as flour—and yet the farmer is interested, because unless the grain is raised in this country and transported out of it the flour will not be necessary.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BERRY. Mr. President, it is not my intention to discuss this bill any further than I discussed it the other day. I should not say anything at all were it not for some remarks made by the Senator from New Hampshire [Mr. GALLINGER] in regard to the Mississippi River and its improvement. I was somewhat surprised to hear the Senator from New Hampshire make the remark, and for the reason that he is a member of the Committee on Commerce, and he has been most liberal in voting for improvements of rivers and harbors all over the country, and has never, so far as I know, shown any disposition to be sectional in those votes.

There is another reason. The Senator from New Hampshire was on a committee of which I also had the honor to be a member, which went from the head of the Mississippi River to the Passes at the Gulf. He is more familiar with that river than a great many of those who live in the section from which he comes. I was therefore greatly astonished that he sought to show any connection between the river and harbor bill and the bill now pending before this body. There is no more connection and no more reason why the comparison should be made or why it should be claimed that they are of the same character than there is to say that the pension appropriation bill, or any other bill, utterly disconnected with it, should also be considered in this connection.

Mr. President, it has seemed to me, because other Senators have heretofore referred to the appropriations for the Mississippi River, that there is something of a disposition to claim that those

who come from that section of the country, because the rivers there get a part of the river and harbor appropriation, are under peculiar and special obligations to some one, and that they are thereby estopped from opposing other measures which they do not think for the best interests of the Government of the United States. I think that is unfair. The river and harbor bill is the only bill the appropriations of which are anything like equally distributed throughout all sections of the United States. There are \$147,000,000 appropriated every year for pensions. The great bulk of that money goes to the North and East, and none to the Southern country. The great amount appropriated for the building of our Navy is all expended on the Northeast Atlantic coast or upon the Pacific coast. No part goes to our section of the Union.

I think it is not altogether generous to make these references, because in one bill and only one that section of the country gets some proportion of the money appropriated by Congress, and even in that bill the large part of the amount goes to the country north of Mason and Dixon's line. I think it is unfair on every occasion when Senators from that section see proper to oppose other bills that we should be constantly reminded that a certain amount is appropriated for the Mississippi River. I am happy to say that the chairman of the Committee on Commerce has never indulged in an argument of that kind. I wish to say further that there is no man in this Chamber who has been more liberal and more generous to that part of the Union than the distinguished chairman of the Committee on Commerce, the Senator from Maine.

I repeat, that the river and harbor bill is not involved in this matter. When it comes before the Senate, if there is any part of the appropriation to that section of the Union which ought not to be made, it will be perfectly legitimate and proper to discuss and oppose it. To that I do not object. But I do say that each Senator upon this floor has a right to judge of any particular bill which comes here, and it is unfair to remind him that in some other measure a portion of the appropriation goes to the country from which he comes, or that he votes for that portion of it. I desire that the river and harbor bill shall stand by itself. I have always voted for the appropriations for the Great Lakes, and for improvements in Michigan and Wisconsin and New York and Massachusetts, and I do not feel that that has anything to do with the present bill.

As I said, I do not desire to discuss this bill further. I have already said what I have to say. There is one point, however, which has been raised, and it has not been answered, and that point is that the bill does not require the building of a single ship at any shipyard in the United States of America. This money can be paid out to the lines which now exist. The most part of it can be paid to those fast steamers, and the subsidy part to all steamers engaged in foreign commerce, and there is nothing whatever in this bill which makes it obligatory upon those companies to build another vessel in the United States. It seems strange to me that Congress should vote this large amount of money when it may be that not an additional vessel will be built. The Senator from Maine hopes they will be built; he hopes the bill will induce capitalists to build vessels; but I repeat that there is nothing in the proposed law which now compels them to build such vessels in our shipyards, and the present ships can take this money from the Treasury and no additional ships will float under the American flag. I do not say they will not be built. I say it is a matter of speculation. It is a matter of hope. But there is nothing in the bill as far as I know which will compel their building. That, it seems to me, should be a fatal objection to the bill, if there were nothing else.

Other points were well made on Saturday evening, that there is no limit to the amount of money which shall be expended in any one year and that there is no limit to the time within which the law shall remain in force. There is no limit to the time when the Postmaster-General may continue to make contracts. The mail may be carried now in 20-knot ships. Later it may become necessary to carry it on ships of greater speed—25 knots, for instance—and yet these contracts will be in existence and there will be no power to change them until the end of the fifteen years for which the contracts are made.

This is all that I desire to say. The bill is badly constructed. It does not seem to me that it will accomplish the purpose desired. It is unjust in the amount and in the time, and it is unfair. I will not repeat the argument I made the other day, which it seems to me can never be answered, that it is an appropriation to individuals or corporations already owning ships and an appropriation which will not compel the building of other ships.

Mr. PERKINS. Mr. President, in my remarks the other day I exhausted what data I had, and did not intend to say another word relative to the provisions of this bill, and I would not do so now but for the fact that my friend the Senator from Arkansas [Mr. BERRY] has referred to the river and harbor bill, of which I

made mention, and I refer to it now in the absence of the Senator from New Hampshire [Mr. GALLINGER].

First of all, we are all in favor of the river and harbor bill. We are in favor of improving the great harbors of the country—the harbors on the Atlantic and the Pacific coasts, and the Gulf ports and the coast ports. The only point is that we think, after we have spent these hundreds of millions of dollars in improving our harbors, we ought to encourage American shipping to enter our ports and to have the benefits of the improved harbors as well as the subsidized ships of foreign countries.

We spend hundreds of thousands of dollars annually in building and maintaining light-houses and light-ships, in establishing beacons and buoys to guide into our ports the ships that are subsidized by England, by Germany, and by France to carry away the products of our country. It seems to me, profiting by the experiences of those countries, we should do something to build up our own commerce, to restore and rehabilitate the merchant marine of our own country, that we may enjoy again, as we did for so many years, the privilege of transporting at least the products of our own country.

As I endeavored to explain a few days since, from my own observation and experience we permitted that to pass from us by our own inactivity, by our own indifference. The bill before us, which has been carefully digested, notwithstanding the remarks of my friend the Senator from Georgia, and considered by the Committee on Commerce, we believe will remove the inequality in conditions in the building and operation of ships which now exists between the ships of Germany, and of England, and of France and those of the United States.

My friend the Senator from Georgia read the manifest of what American ships do not carry, or rather he took it from the CONGRESSIONAL RECORD containing a copy of the manifest of a ship. He might have gone on and enumerated the 253 articles which we have upon the free list and said that none of those were upon the manifests of the four great American ships leaving New York. Now, as a matter of fact, these four ships belonging to the American line exported last year from the port of New York to ports in England \$20,000,000 in value of farm products, and I have here a detailed statement, which I will ask to have put into the RECORD with my remarks, showing the exports.

STATEMENT WITH REGARD TO CARGOES OF FAST AND SLOW BOATS.

The cargoes of the American Line steamships, New York to Southampton, since January 1, 1900, have averaged 1,411 tons dead weight, of an average value (exclusive of specie and according to the sworn statements of shippers) of..... \$444,613

A 10,000-ton steamship of 10 knots speed would carry, approximately, 12,000 tons of wheat, worth 75 cents per bushel, or \$28 per ton, or for the entire cargo..... 336,000

Difference in value of cargoes in favor of fast boat..... 108,613

The fast boat would probably make 12 voyages per year and would at the same rate carry per year in value of exports..... 5,335,356

The 10,000-ton 10-knot ship would probably make 8 voyages per year and carry in total value of exports of wheat at same rate..... 2,688,000

Difference in values of exports per year in favor of the fast boat..... 2,647,356

The express ship would therefore carry out of the country in a year about twice the value that the 10-knot ship would.

Who says that is not a benefit to the farmers, to the producers of the country? This whole bill is conceived in the interest of the American people, and you can not benefit one industry without all being correspondingly benefited, directly or indirectly.

My friend the Senator from Missouri [Mr. VEST] a few minutes since criticised the bill with that elegant sarcasm which we all so much admire, for his words cut like a keen scimeter. He stated that the subsidy will go to some dozen shipowners and American ships now built and operated. Why should it not do so? These ships were built in our own country by American mechanics. They were built from iron and steel from our mines; built from the timber that comes from our forests; and the people who fashioned them and built them are citizens of our own country, raising their families in the little villages and towns adjacent to these great mills and factories, paying their taxes for the support of public schools, educating their children, sending them to church, teaching them the duties of American citizenship.

That is what this bill has in view. It is to build up the great shipping industry of this country. When I was a sailor boy, from Maine to Savannah every port on the coast was alive with ship-building. We then had the monopoly of the ocean, so to speak. But there can be no monopoly on the ocean. My friend the Senator from Georgia charges that there can be, and that this bill creates it. He has failed to show, however, where any steamship company or any transportation company is operating its vessels under some particular franchise. There is no single track on the ocean. It is nature's great highway, and I earnestly believe that if this bill becomes a law the farmers of this country will be ship-owners, that the merchants and the clerks and the mechanics will own an interest in vessels. There is not a vessel to-day sailing out

of the port of Liverpool which is not owned by from 20 to 40 different persons. What is known as the ship's husband, the managing owner of the vessel, projects a ship and plans her and then he sends out into the community, to clerks and merchants, and each one takes a certain interest in the vessel. This bill will encourage our own people to do that very thing, and in doing it we will all be benefited thereby.

Both of my friends—the Senators from Georgia—seem to have taken a great interest in the shipping bill. I suppose it is because we buy of them all our yellow pine and a great deal of other material that goes into ships. We send money to them for the productions of that splendid State. We are taking their cotton and transporting it cheaper than it has ever been done before. We are, as the Senator from Maryland [Mr. WELLINGTON] has said, giving an increase mail subsidy of a hundred and five thousand dollars per annum just to get the mail to their doors six hours earlier than it would go in the ordinary course. They have no hesitancy in asking us to cooperate and to vote with them on such a proposition.

Mr. President, this should not be a party question. I can not understand how it is made a party or a political question. It is one of general interest, in favor of the welfare of this great industry of our country, and I can not see why our friends on the other side insist upon making it a party question.

One of the objections just urged is that the bill can not be repealed. Mr. President, as I said a few days since, the Republicans, when they had the majority, passed a tariff act giving 2 cents a pound upon all sugar produced in this country, either from cane or from sugar beet. Congress made a contract for fourteen years that the Government would pay this amount of money to any firm or company or refinery producing sugar of 90 per cent polariscope test. Three years later, in the whirlpool of politics, political complications of Congress was changed, and, although the law had been in force only three years, from 1891 to 1894, it was repealed, and no redress was given to those who had invested their money in that industry in Michigan, in California, in Colorado, and in other States. The law was repealed, and the only satisfaction those people got was the statement, "You knew it was within the power of Congress at any time to repeal the act whenever it deemed it expedient or advisable to do so." So it is with this bill. There is no necessity for fixing a time limit.

Mr. BERRY. Will the Senator permit me for a moment?

Mr. PERKINS. Certainly.

Mr. BERRY. That remark is correct so far it applies to the second clause. Congress can repeal it, and there is no remedy. In regard to the first, the specific authority is given to the Postmaster-General to contract for a period not exceeding fifteen years.

Mr. PERKINS. I can not conceive of any specific contract more binding, more sacred, or which should be more honorably observed, than an act of Congress whereby it pledged this Government that for fourteen years it would pay 2 cents a pound for every pound of sugar produced in the United States. If such a contract as that can be violated with impunity, and it was so done, so will this be if our Democratic friends get into power; and they will doubtless do so in time. The pendulum swings one way and then the other. They will doubtless repeal this act, and then the people will rebuke them at the polls, as they did after they repealed the act to which I have referred.

The senior Senator from Georgia [Mr. BACON] I was about to say consumed last Saturday 13 pages of the CONGRESSIONAL RECORD with tables giving the names of vessels, tonnage, capacity, speed, etc. He could have found it all or nearly all in the very able report of our Commissioner of Navigation, which is an encyclopedia of knowledge on nautical affairs and all that relates to the maritime affairs of our country. But he could have done better by four lines, and stated that out of 29,091 vessels of the whole world recorded in Lloyds only 383 are ocean steamers of 14 knots or over and 2,000 tons or over. Of these 383 about two-thirds belong to subsidized foreign mail steamship companies. His tables in some instances contradict his own statement about the large share of exports carried by vessels under a thousand tons. His Savannah ships average nearly 3,000 tons. Only 14 out of the 133 Galveston ships he named are less than 2,000 tons. The 60 steamers on his first Boston list average over 5,000 tons.

My friend is a student of political economy. He is earnest and zealous in everything he undertakes to investigate. He is always courteous, kind, and considerate. It is a pleasure to discuss this question with him. But it is always well to be sure you are starting on the right basis from which to reason. He has that delightful but specious way of presenting a proposition which hypnotizes us for the time being. But the premises from which he reasons are not always correct, and so it was surprising to me that he should state that a very large amount of our export trade is carried in ships under a thousand tons. The fact is that the average size of the steamers carrying our exports is about 4,000 tons. I

think it is safe to say, judging from the tables which I have examined—the Senator himself disclaimed any personal knowledge of them—that, to use a nautical term, the author of those tables has allowed a great splendid margin for leeway, and that upon investigation he will find that there is no information given in them which can be of any benefit to us whatever. He might as well have put in a half dozen pages from a nautical almanac, so far as any information there is of benefit to us.

I merely wish to say one word in answer to the Senator from Colorado [Mr. PATTERSON] relative to the crews of vessels. I am in accord with him in a measure. This bill is intended to build up American shipping, to the end that the Stars and Stripes may be carried at the peaks of vessels, which are missionaries of commerce. We have built up a splendid Navy, and we are respected and honored abroad to-day more, if that is possible, than we are at home. Every ship that goes out laden with the products of the American farm, the American loom, or the American machine shop is a missionary of commerce and a missionary of trade. It carries to foreign countries what this great Republic is doing for civilization and for humanity. I believe in American or Caucasian crews. I believe the provision in this bill whereby a ship is compelled to carry, for each thousand tons, an apprentice in the mate's department, which is the navigating department of the ship, or one in the engineer's department, which is the propelling department, the great force that takes the ship along, is a wise one.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. PERKINS. I wished to say something about the Caucasian sailor, but we will take it under advisement, as the lawyers say.

Mr. McLAURIN of Mississippi. Mr. President, if there is no other Senator on this side who desires to address the Senate at this time, I wish to take about five minutes in reference to some figures that were presented by the Senator from Ohio [Mr. HANNA] a few moments ago. I could not catch the exact figures, but I believe I caught them sufficiently for the purpose which I intend.

As I understood those figures, they are to show that the customs receipts collected in a certain period in this country, I believe it was stated from 1871, but I will not be sure about that, were something over \$5,000,000,000, and that during that time there was paid for carrying the commerce of the United States something over \$5,000,000,000, a little more than the amount of the customs receipts collected at the custom-houses of the United States. The purpose of that, if I caught it, was to show that we are paying out more money to foreign countries than we are receiving. Further than that, as I understood it, the Senator claimed that the amount of money which was collected for customs was paid to us by foreign countries; that the amount we paid to foreign bottoms offset that, and left a surplus in favor of foreign countries.

In the first place, the customs tax is not paid by the foreigner, by the importer, but it is paid by the consumer. But granting, for the sake of argument, that it is paid by the foreigner and that it is not paid by the American consumer, then we pay about \$5,000,000 a year, if I caught his figures correctly, more for carrying our commerce than foreigners pay to us in customs for the purpose of running our Government. That is the idea. To show that we are not paying to the foreigners more than we are receiving, I notice that the figures given by the chairman of the committee, the Senator from Maine, in a speech on the 3d of March, show that last year we exported \$1,487,000,000 worth of produce and that we imported \$882,000,000. This leaves to our credit \$588,000,000. So, if we are paying for the carrying of our commerce to foreign countries \$5,000,000 more than they are paying for the privilege of importing their commerce into this country, we are receiving one hundredfold more than they are receiving.

I just wanted to call attention to this to show that, taking the position which seemed to be taken by the Senator from Ohio—that the importation tax is paid by the foreign producer instead of the domestic consumer—we are receiving one hundred times more in the way of balance of trade than we are paying for the carrying of our commerce.

This is all that I intended to say, but while I am up I wish to call attention to one feature of the bill that has impressed itself upon my mind. According to the provisions of the bill a ship carrying 10,000 registered tons, at 20 knots, from this country to any port 5,000 miles from here, in going and returning, will receive \$27,000, if it is a ship that has made a contract with the Postmaster-General for the carrying of the mails, but if it is a ship that has not a contract with the Postmaster-General for the carrying of the mails it receives \$12,500 for the round trip.

I repeat, a ship of 10,000 tons going at the speed of 20 knots carrying mail under a contract with the Postmaster-General receives \$27,000 for 10,000 miles, going and coming, whereas a ship

of the same size, the same make, and the same speed, that has no contract with the Postmaster-General, receives \$12,500, or \$14,500 less than the ship that has the mail contract. That is calculated to destroy competition.

Not only is this to be the case, but a ship that has no contract can be compelled to carry the mail free of charge before it receives any of the subsidy, so that while the other ship carries the mail under a contract and receives \$27,000 this ship may be compelled to carry free before it can receive a bounty, if it is required to do so by the Postmaster-General, and then it is to receive a bounty of only \$12,500. As I said, that is calculated to destroy competition. It will not do to say that there is a benefit to the producer of corn, and wheat, and cotton, or anything else that is to be shipped abroad in destroying the competition that exists between the ocean lines.

This is about all that I desired to say.

Mr. SCOTT. Mr. President, I shall detain the Senate only a moment in regard to this bill. I have always been a protectionist per se, and believing that the bill is in the line of protection I shall certainly support it heartily. While I believe that it is a measure in the interest of the entire people of the United States and of the commerce of this country, I also believe that it is in the interest of my State and my people. I have been a manufacturer for the past thirty-five years. I have been protected by a protective tariff of 40 per cent upon the articles that I manufacture, and by reason of that protection I have given to the consumers of this country a reduction in price of, I think, over 150 per cent.

I believe, as I stated, in protection because I am convinced that it has brought about the prosperity we are now enjoying in this country. I believe it is a policy that has been for the upbuilding of this country in every respect. I believe the bill as it is proposed, with perhaps some amendments, is the best measure that can possibly be devised for the benefit of the people of the State I have the honor in part to represent. We have the shortest haul to tide water for coal and hard timber of any State in the Union.

I believe if we encourage the building of ships to carry abroad our coal and other products of our States, it will be largely to our advantage.

For these reasons, and others that are numerous and which I might mention, I shall give my hearty support to this bill.

Mr. FRYE. Mr. President, I am neither physically nor mentally in any condition to make a speech. In trying to avoid the Charybdis of smallpox I ran into the Scylla of vaccination, and which is the more painful I am unable to determine. There are some things, though, it seems to be necessary I should say.

A Senator just handed me a moment ago a communication from a Chicago paper. I do not know why newspapers should make the mistakes they do when we have such bright reporters here at Washington:

The recent debates in the Senate on the Frye ship-subsidy bill have elicited from its author the fact that it is open to one very grave objection, which hurt the Hanna bill of last year. It will give large sums from the Treasury to a few ocean greyhounds, but will not encourage the building of economical cargo carriers.

This Mr. FRYE has admitted, and to those who look for general public benefits and not merely to the profits of a few shipowners, the admission is bad for the bill.

"The bill of 1891," said Mr. FRYE, "was a dead failure. We succeeded in getting one new line under it." In fact, we got just two new steamers built in American yards and two built abroad. Yet of the subsidies proposed by his bill Mr. FRYE went on to say: "Below 16 knots there would not be any increase over the present. Indeed, the price will be lower than under the present law."

That is, while the act of 1891 increased our mercantile marine only by four ocean greyhounds, the proposed law may give us more ocean greyhounds, but will tend even less to add cargo carriers.

Why could not the editor of this newspaper, if it was the editor, have recognized the fact that when I made that statement I was talking in relation to the postal subsidy article of the bill. In relation to that I said what I am purporting to have said here, but I had not the slightest reference whatever to article 2 of the bill.

I say now, and I want to say it to the Senator from Missouri [Mr. VEST], that in my deliberate judgment the subsidy which is provided for the ordinary freight ship outside of the postal subsidy ship is as valuable to it as the postal subsidy is valuable to the mail ship. The ordinary American freight ships which are to receive the subsidy here are divested from all the extraordinary requirements of the postal subsidy ship. They must be built under the supervision of the Secretary of the Navy; they must be inspected by a board of officers appointed by the Secretary of the Navy; they must be so constructed that they shall be able to carry certain guns, increasing the expense of their construction very largely; they must, in fact, be in condition on call by the Government of the United States to take their places as the auxiliaries of the Navy. The four American liners were in that condition when the Government called for them. No such requirements are made of the ordinary freight steamers under article 2 of the bill.

Then, again, and I call the attention of the Senator from Iowa [Mr. ALLISON] to this, those postal subsidy ships are required to be of the highest rating known; that is, above A1.

Mr. ALLISON. Up to class five, for five of the classes.

Mr. FRYE. The two classes are not intended to be auxiliaries of the Navy.

Mr. ALLISON. Two classes are not included?

Mr. FRYE. Two classes are not included. Sixteen up to 20, inclusive, are required to be of the highest rating known. That is recognized by the various bureaus. For instance, one has the letter A with two bars across it; another has AA1, and in various ways they recognize the degree of completion of construction and all that sort of thing. No such requirement is had of these average rate steamships.

Mr. CULBERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Texas?

Mr. FRYE. Certainly.

Mr. CULBERSON. With reference to the subject the Senator is discussing, I desire to invite his attention to section 4 of title 1 of the bill. I ask him if there is any requirement that the steamships of the first five classes already constructed shall be fitted out as cruisers.

Mr. FRYE. Does the Senator mean the four liners?

Mr. CULBERSON. The first, second, third, fourth, and fifth classes. To make myself clearly understood, let me read from the bill:

SEC. 4. That all steamships of the first, second, third, fourth, and fifth classes, employed as above and hereafter built, shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, etc.

I do not understand that that provision applies to the ships that have heretofore been constructed.

Mr. FRYE. The act of 1891 applied to those ships. They got their postal contract under the act of 1891, and they are still under that contract, and will be up to 1905.

Mr. President, this is all I desire to say in relation to that matter. It is a mistake of a newspaper, that is all there is to it, and on a mistake they think the bill ought to be defeated.

Another matter to which I wish to call the attention of the Senate was also brought to my notice a few moments ago. I received a letter from Edward J. Livernash, I should say it was for the California commission, in which he calls upon me to declare in favor of an amendment offered to this bill by the Senator from Colorado [Mr. PATTERSON], and gives me the distinguished honor of saying that if I will advise the acceptance of that amendment, such is my influence in the United States Senate, it will be promptly accepted.

Mr. PATTERSON. I desire to state that Mr. Livernash is a member of the California commission sent to Washington to look after the question of Chinese exclusion.

Mr. FRYE. Mr. President, in my present condition of mind and body I hope I will not be interrupted any more, because when interrupted I can not talk consecutively; I can not do what I wish.

I wish I could comply with the request of this gentleman, but I can not, and I do not believe that it ought to be complied with. I do not believe that Europeans or Americans can be found in the voyages to China and to Asia generally who in that climate will take the places of Chinese in the engine and the fire rooms. I do not believe they can live there, where the heat goes to 140 at times. They live on ships of war, I admit, but ships of war go into those ports and lie there from month to month, and though kept at work in the fire and engine rooms they have the privilege of the deck and they can get all the opportunities for fresh air they desire. These men on the merchant ships have to be there day after day, night after night, and a white man can not stand it, in my judgment. I believe if this amendment should be placed upon the bill it would be simply in one hand the pipe of peace, in the other a tomahawk, and if the pipe of peace was accepted then the tomahawk goes into use, and you destroy the lines upon the Pacific Ocean.

I have great hopes, as I said in my opening speech, that there can be two or three great lines established from the Pacific coast to the Orient in the interest of the extension of commerce, but I would greatly fear if that amendment was adopted the lines never would be established. I believe if that amendment is adopted Mr. James Hill, who is building two great ships now at New London, in the State of Connecticut, will find that it becomes absolutely necessary for him to put those ships under a foreign flag in order to employ Chinese in the fire and the engine rooms.

Every German contract in the Pacific Ocean, and those contracts are very close, provides that Asiatics shall not be employed on those ships unless for sanitary reasons it becomes necessary to employ Chinese in the engine and in the fire rooms, and they

employ them in the engine and fire rooms for sanitary reasons. The French undertook to provide that Chinese should not be employed on their ships. It lasted but a short time, and the French were obliged to repeal that provision and permit their employment. Why it should be undertaken here to prevent American vessels under the American flag from employing the only men practically who can live in the fire rooms in the Tropics is beyond my comprehension.

I say I sympathize with labor as much as the Senator from Colorado [Mr. PATTERSON] does. I sympathize with men who work for their living, and the most of us I think do that. I think there are few laboring men in this country who work as the Senators in this body from the great West work every day of their lives.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. The Senator from Maine declines to be interrupted.

Mr. PATTERSON. I could give the Senator an illustrious example of the very thing he says can not occur.

Mr. FRYE. I think that laboring men are just as likely to be mistaken in their demands as we are in our demands. In my judgment the laboring men of this country who are demanding that this provision be placed in the bill are mistaken.

When the Chinese war broke out there were two great factories in my own neighborhood shut down through the entire revolution because their exports of cotton goods were cut off from China. If we are to have hereafter an extension of our commerce in the Orient—and that is the place of all other places for us to look for it—then it is in the interest of laboring men, because with our enormous production of manufactured and other goods there is danger at any time of a surplus on our hands; and the moment there is a surplus we can not dispose of, that moment there is stagnation at home, capital without profit, and workmen without wages. It is the interest of the workingmen to extend our commerce and to prevent a surplus from becoming a stagnation to us in this country.

Now, Mr. President, this is an anxious hour for me, and, I think, justifiably so. For almost a quarter of a century I have been trying to solve the problem how to restore the mercantile navy of ours in the oceans of the world. I have taken more interest in it than in any other subject, and I have given it more thought and more care than I have given to perhaps all other subjects. Much good has been accomplished, and yet the decline kept on and on. The Senate Committee on Commerce has never yet rejected a bill in relation to ships which I presented in the Senate. Every one has been reported to this body, and such has been the confidence of the Senate in the Committee on Commerce that there has never yet been a bill reported from that committee relating to ships which has not passed this body except one, and that one we were not permitted to have a vote on. We removed in a single bill several million dollars' worth of burdens from American ships. It passed both branches and became a law.

I remember when John Roach's ships were on the line between New York and Brazil and were suffering terribly, when Brazil was paying a line \$100,000 a year and we were paying it about \$3,000 a year for carrying our mail, the Committee on Commerce authorized me to report an amendment to the Post-Office appropriation bill making an appropriation of \$500,000 or \$600,000, and it became a law. We had a Postmaster-General at that time who believed in free ships, and he refused to pay out the money for the purpose for which the appropriation was made. He resorted to two statutes then upon the statute book which authorized the Postmaster-General to seize and compel any American vessel to carry the United States mails anywhere for sea postage. At the very next session of Congress the Committee on Commerce authorized me to report a bill repealing those two statutes. It was reported and became a law.

This went on year after year, and there were bills passed and became laws which were in the interest of American shipping, and yet the decline kept on; nothing was accomplished. It became evident to me in 1890 that the disease was so deep the remedy must be more drastic infinitely than anything ever proposed up to that time. I spent about six months' time over the postal-subsidy bill in 1890. I sent all over the country for experts, simply for the purpose of finding out what rates in the mail service would be required to secure American lines of ships to foreign countries. The bill was finally completed and reported, I think, in 1891 to the Senate.

At the same time I prepared and reported, by the authority of the committee, to the Senate a bounty bill, or an ocean subsidy bill like this, only the subsidy was considerably higher than in this measure. It was 3 cents for the outward voyage. This is a cent for the entire voyage and a cent and a quarter on ships hereafter built. Those bills came before the Senate. They were together discussed here in the Senate. The Senator from Iowa [Mr. ALLISON] voted for them, the Senator from Colorado [Mr. TELLER]

voted for them, the Senator from Wisconsin [Mr. SPOONER] voted for them, and they passed the Senate.

The Senator from Missouri [Mr. VEST], in his speech the other day, talked about the roseate hues which I presented to the Senate, of the promises of those bills to the country, and then he asked, "What kind of a prophet is the Senator from Maine when he himself admits that the bill was a dead failure?" The Senator from Colorado says that the bill was a failure; the Senator from Wisconsin says that the bill was a failure, and the Senator from Maine says that it was.

Now, why? None of these Senators say why. Because the bounty bill, after it passed the Senate and went to the House, was defeated in a Democratic House by two or three majority, and the postal subsidy bill was amended in the House of Representatives by striking down by one-third the rate which had been provided for with such care. It came back to the Senate on the last day of the session and in the last hours of the last day of the session, when it was too late to have a conference, and it was only for that reason it was accepted at all.

Now, one of those bills was destroyed and the other was mutilated, and I am responsible and am no longer to be treated as a prophet because I said they would place our flag upon the ocean. They would have placed the flag upon the ocean if both bills had become a law as they passed the United States Senate. I had the promise of a line to Brazil. I had the promise of one line to the Pacific if that bill became a law. It practically proved a dead failure, simply because an amendment in the House of the postal subsidy part of it made it a failure and because the other measure was defeated entirely; and I warn Senators who are in favor of doing something for the American merchant marine to lookout for the amendments offered in opposition to the bill by the other side.

There has not been one of them yet offered in the interest of the American merchant marine, not one. There has not been one yet offered that will not harm, and perhaps some of them would destroy this bill if they should be adopted and become law. Beware of the Greeks when they are bringing gifts. That side of the House never has in the last twenty-five years proposed any remedy for this condition of things except the remedy of the Senator from Missouri [Mr. VEST]—freeships. They rise in their places in the Senate and declare that they are as much in favor of reviving the American merchant marine as we are, as I am, and yet they never come forward with any proposition whatever to revive it except free ships—a remedy, in which I am happy to say, very few intelligent Americans to-day believe.

Mr. TELLER. Will the Senator tell us what he thinks of the amendments proposed by the other side?

Mr. FRYE. I will before I get through; I propose to do so.

Mr. TELLER. I trust the Senator will not forget them.

Mr. FRYE. No; I will not forget them. Lest I may not have time, I will attend to it now. The Senator from Iowa [Mr. ALLISON] offered the following amendment:

The Postmaster-General, until the 1st day of July, 1910, is hereby authorized and directed to enter into contracts for a term not less than five nor more than fifteen years, etc.

That is the first amendment. I accept it without the slightest hesitation. I do not believe that it is at all harmful to the bill. The next amendment offered by the Senator from Iowa is:

Provided, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

I recognize that amendment as coming from a friend of the bill, and I accept it without hesitation. The next amendment offered by the Senator from Iowa is on page 4, line 7, as follows:

And every vessel in respect of which any contract authorized by this act shall be applied for or made, shall be of the Class A1 as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract, as provided for in this act, shall be of Class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

I do not think the Senator would like to have that apply to ships of 16 knots and upward, because it would reduce their rating, and their rating under the law is higher than A1; it is AA1.

Mr. ALLISON. Just a moment, if the Senator will permit me. It will not interfere with the present provisions in the bill applying to the first five classes.

Mr. FRYE. Then I have not the slightest objection to it, because I do not believe in paying a subsidy to any ship that will not rate A1. I supposed the bill had provided for that. The next is that:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo, and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required.

I object to that.

Mr. TELLER. Why do you object to that amendment?

Mr. FRYE. I object to it for several reasons. First, it is entirely unnecessary. I venture to say that no Senator here who will examine into the voyages from our ports to ports across the ocean will find a ship that sails without at least half its commercial cargo capacity. When they are short is when they make their return voyages and come in competition with foreign vessels. If they did not carry half of their cargo capacity they could not earn enough to pay the wages of their crews; they could not run three years under the subsidy. If the subsidy, for instance, was \$100 it would cost them \$175 in wages for the officers and the men. So, practically, in my judgment, the provision of the amendment would not be of the least value.

But that is not the reason I object to the amendment. I object to it because, in my opinion, it is a bounty, and therefore unconstitutional, and the Senator from Missouri [Mr. VEST] rather defiantly called upon me, when he was making his very fine speech the other day, to reply to him at the time. I think the Senator knew that my respect for him was such that I would not interject a speech into his very beautiful address. I did not interrupt him at all, and would not under the circumstances.

During the summer I called into conference with myself in preparing the bill Mr. LITTLEFIELD of Maine, a member of the House of Representatives. He was very desirous of a cargo clause like that which the Senator from Iowa has offered, and which was in the last bill; and in two drafts of the bill—the bill has been drafted quite a number of times—that was section 13, the cargo clause. I was opposed to it in the last bill, and I opposed it in these drafts, because I believed it to be indirectly a bounty, that it would be construed in law a bounty, and therefore might imperil the bill. I consulted several of the best lawyers in New England, and they all agreed that it was a bounty and would be so construed in law. But still my friend Mr. LITTLEFIELD did not surrender. He wrote to ex-Senator Edmunds, and Senator Edmunds wrote him in reply:

1724 SPRUCE STREET, PHILADELPHIA, PA.,

November 26, 1901.

MY DEAR SIR: Referring to yours of the 16th and my reply of the 19th—

Mr. LITTLEFIELD had written to Mr. Edmunds twice—

I am able now to say that I have carefully again considered the questions involved in your draft of the suggested section 13 of the shipping bill. I examined the same question a year ago in connection with the proposition advanced by some Western gentlemen that a bounty ought to be granted on the exportation of American products. My reexamination has confirmed me in the opinion that the section can not be safely inserted, although a clause substantially the same was inserted in the last bill, I think.

The first question arising is whether the section would be constitutional if enacted, assuming that the provisions of the bill, including section 13, amount in legal effect to a bounty upon the exportation of goods in American vessels. I do not think that this question depends upon whether the goods exported are of domestic or foreign origin.

In the sugar-bounty cases, as you remember, the Supreme Court evaded deciding the question whether a bounty upon the production of sugar was constitutional or not by holding that the United States by the bounty act and the history that followed it in its repeal, etc., had become bound in morals, honor, and natural justice to make good the losses occasioned by the repeal, so far as Congress had provided for such payment by a succeeding act, and that such act appropriating money to discharge a morally just debt was constitutional. My belief is that when the court is forced to decide the question of the constitutionality of granting bounties for the promotion of commerce it will hold that it can not be done. I came to this conclusion when I was first called upon to express my views about it to the committee of shippers and merchants which had charge of promoting some bill in aid of the expansion of our foreign trade, for, as I recollected, that committee was inclined to legislation that in the very simple way of a bounty on exports would effectuate the purpose.

The next point to be considered is whether the provisions of section 13, in connection with the other provisions of the proposed new bill (which I assume will be in respect of fundamentals, as distinguished from the amount of compensation, substantially like the old one), amount to the granting of a bounty upon the exportation of goods. I regret to say that I am strongly of the opinion that they do. The vessel in respect of which compensation is to be made and in respect of which a certain amount of cargo is made a condition of payment is merely a means of accomplishing certain purposes. Among these purposes are postal facilities, the training of young men to skillful sea service of various kinds, the strengthening of our resources in time of war, and the exportation of goods to foreign markets. Thus it seems to me that at least a part, and indeed for immediate purposes by far the largest and most important part of the compensation to be provided is for the carrying of the goods to foreign markets.

It seems to me, then, that it is impossible to resist the conclusion that this payment does amount, even in strict legal effect, to a bounty. And I think that if another nation with whom we had a treaty providing that if bounties were allowed to its vessels on the exportation of goods our vessels should be entitled to the same bounty, should provide a similar scheme to that now proposed, our Government would be bound to complain that the treaty had been violated, and would feel it to be its duties to make reprisals in every way possible. As you know, our executive government has in respect of the act of Congress providing for increased tariff on sugar, etc., when a foreign country had granted bounties, has carried that provision into execution in cases far less clear than this one. We have now in force many treaties which would involve us in these difficulties if the cargo provisions were made lower.

Very sincerely, yours,

GEORGE F. EDMUNDS.

The Hon. C. E. LITTLEFIELD,  
House of Representatives, Washington, D. C.

Now, take the treaty with Great Britain, made in 1815, the second article of which provides that—

The same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of His

Britannic Majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels, and the same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of the United States to His Britannic Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

**Argentine Confederation, article 6:**

The same drawbacks and bounties shall be allowed upon importation or exportation into or from the territories of the United States or into or from the Argentine Confederation, etc.

**Austria-Hungary, article 6:**

And the same bounties and drawbacks shall be allowed whether such exportation or reexportation be made in the vessels of the one party or of the other.

**Belgium, article 7:**

All premiums, drawbacks, or other favors of like nature which may be allowed in the States of either of the contracting parties upon goods imported or exported shall be likewise and in the same manner allowed upon goods imported directly from one of the two countries by its vessels into the other, or exported from one of the two countries by the vessels of the other to any destination whatsoever.

**Bolivia, article 4, same provision as in Austria-Hungary treaty.**

**Brazil, article 4, same provision.**

**New Granada, article 4, same provision.**

**Costa Rica, article 6, same provision.**

**Denmark, article 3, same provision.**

**Ecuador, article 4, same provision.**

**Great Britain, article 2, same provision.**

**Guatemala, article 4, same provision.**

**Hanover, article 1, same provision.**

**Hanseatic Republics, article 1, same provision.**

**Haiti, article 11, same provision.**

**Honduras, article 5, same provision.**

**Italy, article 5, same provision.**

**Japan, article 7, same provision.**

**Mecklenberg-Schwerin, article 1, same provision.**

**Netherlands, article 1, same provision.**

**Ottoman Porte, article 8, same provision.**

**Peru, article 7, same provision.**

**Portugal, article 4, same provision.**

**Salvador, article 4, same provision.**

**Venezuela, article 6, same provision.**

Mr. President, I do not wish to expose this bill to that very serious question when there is no necessity for it, and when ships will not sail from ports of the United States without carrying cargoes to at least half the cargo commercial capacity of the ship.

Mr. ALLISON. That is all the amendment provides for.

Mr. FRYE. I know that is all it provides for, but that is not what I am afraid of. I am afraid of the Constitution and the treaty question. I do not care anything about the provision as to carrying half cargoes. I hope the Senator from Iowa will withdraw that amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BERRY. I ask unanimous consent that the Senator from Maine may be permitted to speak until 3 o'clock.

The PRESIDING OFFICER. If there be no objection, it will be so ordered. The Chair hears no objection.

Mr. FRYE. I am obliged to the Senator from Arkansas and the Senate for the five minutes.

Mr. MONEY. Will the Senator permit me to ask him a question before he leaves this point?

Mr. FRYE. I want to get through with these amendments first, at any rate.

Mr. MONEY. All right.

Mr. FRYE. The next amendment proposed by the Senator from Iowa is that—

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph (c) of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

I do not think that necessary, because, under the general subsidy, the Secretary of the Treasury must find on every voyage that the ship is A1; yet I have not the slightest objection to it if the Senator desires to make that specific provision. The Senator from Iowa also offered the following amendment as an additional proviso:

And provided further, That until July 1, 1907, not more than \$5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more than \$8,000,000 shall be expended in any one year under the contracts provided for in this title.

And after that date not more than \$8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury—

Should that be the Secretary of the Treasury or the Postmaster-General?

Mr. ALLISON. I should think the Secretary of the Treasury.

Mr. FRYE. The proposed amendment continues—

shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

I have not the slightest objection to that. It is a wise provision.

The next amendment offered by the Senator from Iowa is:

H. Steamers which during their trials have not obtained a minimum speed of 8 knots, half-loaded.

I do not object to that. I do not want any steamer that will not make 8 knots.

The next amendment proposed by the Senator from Iowa is:

I. Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I do not understand that. Can the Senator in a word or two explain it?

Mr. ALLISON. That refers to vessels in the coastwise trade. That is what I mean.

Mr. FRYE. Does the Senator mean a ship loaded in the Kennebec River, with ice in its hold and with lumber on its deck, bound with the lumber to Washington and the ice to New Orleans, which at New Orleans changes her enrollment and registers and loads with cotton for Liverpool, does the Senator mean to cut off that ship from New Orleans to Liverpool with a load of cotton?

Mr. ALLISON. That is precisely what I mean. A ship engaged in the coastwise trade, I think, should not be permitted to go into one port of the United States and then go to a foreign port on the same voyage and get a subsidy.

Mr. FRYE. Then I do not like the amendment at all, because I can not see any reason why a ship that goes down to New Orleans, no matter how she got there, and then having registered and become a ship in the foreign trade should not receive subsidy from New Orleans—I do not mean from New York or the Kennebec River, I mean from New Orleans to Liverpool. I hope the Senator will not press that amendment.

The next amendment is one proposed by the Senator from Wisconsin [Mr. SPOONER] to insert at the end of the bill these words:

Congress reserves the power to alter, amend, or repeal this act, in whole or in part, whenever in its judgment the public interest shall so require, without in anywise interfering with the obligation of any specific contract then in force which shall have been entered into under the provisions of title 1 thereof.

I have not the slightest objection to that amendment, because, in my judgment, Congress has the right to repeal the act at any time.

The Senator from Wisconsin said there was some doubt as to what this bill would accomplish. There is some doubt about everything. He wanted to do everything, for instance, that I desire to accomplish, and he wanted to do it soon; he wanted ships restored to the ocean, but he was not certain whether or not this bill would do it. There can be no absolute certainty as to what any legislation of Congress will accomplish. That is an impossible thing. The Senator can not tell what the Philippine bill will accomplish; the Senator can not tell what the tariff bill will accomplish. No Senator can prophesy with an absolute degree of certainty as to what is to be the outcome of any legislation before Congress.

I can simply say to the Senate that I probably have given more thought to this subject than any other Senator on this floor—I know I have—and I can say to the Senator that, in my judgment, if this bill becomes a law without any amendment other than those I have already assented to, it will accomplish its purpose and we shall have postal lines to the Orient; we shall have them to South America, and we shall have the general freight ships of the country increasing in numbers very largely. I have not any doubt about it all myself, and if I had I never should have consented, as a matter of course, to the terms of this bill. I suppose, however, my judgment is no better than that of the Senator from Wisconsin.

Now, with regard to people not being able to raise money to build ships because there are no contracts provided for in this bill. The objection to the old bill was that the contracts under the general subsidy would run twenty, thirty, or forty years, and Senators figured out a cost of \$500,000,000 or \$600,000,000. As I have said, there are no contracts here. But is there ever a contract in a tariff bill? For instance, take tin plate. We put a heavy duty on tin plate. Was there any contract that that duty should remain on tin plate for two years or three years or five years; and did the absence of such a contract prevent men from immediately investing their money in tin-plate factories? Not at all. We put a duty on silk goods. Did that prevent the investment of millions and millions of dollars in the manufacture of silk goods in the city of Paterson? It did not prevent a dollar from going into that business, although that law might have been repealed at the very next session of Congress.

I do not think, Mr. President, that there is anything—

The PRESIDING OFFICER. The Senator's time has expired. The hour of 3 o'clock having arrived, by order of the Senate the vote will now be taken on the amendments submitted and to be presented to the pending bill without further debate.

Mr. VEST and Mr. CULBERSON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri [Mr. VEST].

Mr. VEST. I should like to make a parliamentary inquiry. I understood the Chair to announce a while ago that the pending amendment was that offered by the Senator from Iowa [Mr. ALLISON]. My understanding is that all amendments—

The PRESIDING OFFICER. The Chair will state that the Senator from Iowa has yielded to the Senator from Missouri, so that the amendment of the Senator from Missouri will be first taken up if he desires to present it.

Mr. VEST. I have an amendment which I desire to offer, and I ask for yeas and nays upon it.

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. CULLOM. There is no yielding about it. No debate is in order.

Mr. VEST. If the Senator from Mississippi will permit me, I want to offer my amendment at this time, and to have a vote upon it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. At the end of the bill it is proposed to add the following:

SEC. 21. That the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," is hereby specifically declared to be applicable to the builder, owner, and either or both of them, of any vessel receiving subsidy provided for by this act, and any such vessel is hereby declared to be property in the course of transportation within the intent and provisions of section 6 of the aforesaid act of July 2, 1890.

SEC. 22. That upon complaint made to the Secretary of the Treasury that any person owning, controlling, or operating vessels entitled to compensation under this act which together with the vessels associated with them in any combination, contract, or conspiracy aggregate in tonnage one-third of the total tonnage of all vessels entitled to compensation, or that any person owning, controlling, or operating vessels entitled to compensation under this act which transact business in any port of the United States and together with the vessels associated with them in any combination, contract, or conspiracy aggregate one-third of the total tonnage of all vessels entitled to compensation under this act entering or clearing from such port in the United States during any one year, has entered into any contract, combination, or conspiracy, whatever be the form thereof, for the purpose of controlling the terminal facilities for shipping in any port or ports of the United States, or for regulating or increasing the rates of fares for freight or passengers in trade or commerce among the several States or with foreign nations, or for granting any special rebates or privileges to shippers in such commerce, or for otherwise putting any restraint upon trade or commerce among the several States or with foreign nations, the Secretary shall fix a time and place for hearing such charges and give notice thereof to the persons interested and may require the production before him of any contracts or papers which he may deem material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true. If, after notice and hearing, the Secretary of the Treasury shall determine in writing that such charges are true, thereupon the right of the person or persons so found violating the provisions of this section, and they assigns, to any compensation from the United States under this act shall immediately cease and determine.

SEC. 23. That any contract, combination, or conspiracy, in whatever form made or entered into, between the persons owning, controlling, or operating two or more shipyards in the United States which have constructed, are constructing, or are capable of constructing, during any one year, vessels aggregating in tonnage one-third of the total tonnage of the new vessels registered and entitled to compensation under this act, for the purpose of limiting or controlling the number, tonnage, classes, kind, or type of vessels to be constructed therein or for regulating in any manner the terms or increasing the prices of construction of such vessels, is hereby declared to be unlawful and void; and any consolidation, absorption, sale, or transfer, by the persons owning, operating, or controlling two or more shipyards in the United States of the capacity aforesaid, of the privileges, franchises, or property of such shipyards for the purpose of limiting or suppressing competition between or among such shipyards or the owners or managers thereof for placing the control of the terms and conditions of such contracts for constructing vessels therein under one management is hereby declared to be unlawful and void. Upon written complaint, filed with the Secretary of the Treasury by any person having a contract or application for a contract for the construction of new vessels in the United States under the provisions of this act, alleging a violation of the provisions of this section, the Secretary of the Treasury shall give notice to the interested person or persons of such complaint and fix a time and place for a hearing upon the charges made, and may require the person or persons against whom the charges are made to produce before him any contracts or papers which he may deem to be material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true.

If the Secretary of the Treasury shall, upon such hearing, find and determine in writing that any of the provisions of this section have been violated he shall publish such finding and determination in one or more newspapers, not exceeding three in the whole, published in any county in which such violation shall have taken place, and shall also mail to the parties interested, so far as known, a copy of such finding and determination, and thereafter during the continuance of any of the acts, contracts, combinations, consolidations, absorptions, sales, or transfers, or the continuance of any of the acts so found and determined to have been unlawful, none of the persons so found to have violated the provisions of this section shall be entitled to any contract of any kind whatever with the United States, and no officer or agent of the United States shall during such continuance enter into any such contract with such person or any of them; and after such finding, determination, and publication as aforesaid no vessel which may be thereafter contracted for to be built by the owner or persons operating such offending shipyard or shipyards shall be the subject of any contract or compensation provided for in this act during the continuance of the wrong so found and determined.

SEC. 24. That the word "person," or "persons," "citizen" or "citizens," wherever used in the three preceding sections, shall be deemed to include "corporations," "associations," and "partnerships" existing under or au-

thorized by the laws of either the United States, of any State, of any Territory, or of any foreign country, unless otherwise limited by this act.

The provisions of the act to which this is amendatory shall not be construed to interfere with or prevent the enforcement of any law of the United States prohibiting contracts, combinations, or conspiracies in restraint of trade.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Missouri [Mr. VEST].

Mr. VEST. I call for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. SPOONER. Mr. President, I desire to move an amendment to the amendment, if it be in order.

The PRESIDENT pro tempore. It is in order.

Mr. SPOONER. I move to strike out section 23. It is not properly numbered with reference to the bill. It may have been properly numbered with reference to the bill of last year.

Mr. VEST. Mr. President, I neglected to state that I desire to modify the amendment. This amendment was offered to the bill which was pending in the Fifty-sixth Congress, but was not voted on; and the numbering of the sections is, of course, inapplicable to the present bill.

The PRESIDENT pro tempore. The clerks will attend to the numbering of the sections.

Mr. VEST. I understand now that the Senator from Wisconsin moves to strike out that part of the amendment in regard to shipyards. Am I right about that?

Mr. SPOONER. That is correct. I have no right to debate it, but that is the proposition.

The PRESIDENT pro tempore. The Senator from Wisconsin moves an amendment to the amendment, which will be stated.

The SECRETARY. On page 3, beginning with line 9, strike out all of the remainder of the amendment down to and including line 14 on page 5.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on agreeing to the amendment. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the junior Senator from Massachusetts [Mr. LODGE]. I will transfer my pair, and let the junior Senator from Massachusetts [Mr. LODGE] be paired with the senior Senator from Arkansas [Mr. JONES], if it is agreeable to the Senator from Maine.

Mr. HALE. That is entirely agreeable.

Mr. CLAY. The Senator from Massachusetts would vote "nay." I will vote. I vote "yea."

Mr. MARTIN (when Mr. DANIEL's name was called). My colleague is unavoidably detained. On these votes he is paired with the Senator from Nebraska [Mr. MILLARD].

Mr. DEPEW (when his name was called). I am paired with the Senator from Louisiana [Mr. MCENERY]. I transfer my pair to the Senator from Nevada [Mr. STEWART] and will vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). My general pair with the senior Senator from South Carolina [Mr. TILLMAN] has been transferred by arrangement to the senior Senator from North Carolina [Mr. PRITCHARD], and therefore I will vote. I vote "nay."

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT]. I have made an arrangement with the senior Senator from Wyoming [Mr. WARREN] to transfer our pairs. The senior Senator from Wyoming is paired with the senior Senator from Washington [Mr. TURNER], thus leaving the senior Senator from New York [Mr. PLATT] and the senior Senator from Washington [Mr. TURNER] paired. I will vote. I vote "yea."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague is paired with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "yea."

Mr. HOAR (when Mr. LODGE's name was called). My colleague, as has already been announced, is paired with the senior Senator from Arkansas [Mr. JONES]. I wish to announce once for all that if my colleague were here, he would vote for this bill and against all amendments not accepted by the committee.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. WARREN (when his name was called). I have a standing pair with the senior Senator from Washington [Mr. TURNER]. As already announced by the senior Senator from Idaho, the Senator from Washington [Mr. TURNER], who is supposed to be against the bill, is paired with the Senator from New York [Mr. PLATT], who is supposed to favor it. Therefore the Senator from Idaho [Mr. HEITFELD] and I will vote now and upon all votes taken upon this measure. I make this statement so that I will not have to announce the pair again.

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.			
Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.  
Mr. VEST. I offer the amendment which I send to the desk. The PRESIDENT pro tempore. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In section 6, Title II, it is proposed to insert the following:  
*Provided*, That any vessel purchased or built in a foreign country and the property of a citizen or citizens of the United States, or of any corporation created under the laws of the United States or of any of the States thereof, shall be admitted to registry in the United States, but no subsidy shall be paid to the owner or owners of such vessel under the provisions of this act, nor shall said vessel be admitted to the coastwise trade of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.  
Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.  
Mr. BERRY (when the name of Mr. JONES of Arkansas was called). I will announce that if my colleague were present, he would vote "yea." I will announce at this time that on all amendments which would tend to defeat the bill or make it better he would, if present, vote "yea." Then he would vote against the bill in any shape.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.			
Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.  
Mr. VEST. I offer the amendment which I send to the desk. The PRESIDENT pro tempore. The amendment will be stated.  
The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That so many of the various provisions of the Title XLVIII of the Revised Statutes of the United States, entitled "Regulation of Commerce and Navigation," embraced in chapters 1 to 9 of said title, and from section 4131 to section 4305, both inclusive, as either prohibit or restrict citizens of the United States from purchasing ships built in other countries, to be used in the foreign carrying trade of the United States, or which impose taxes, burdens, or restrictions on such ships when owned by American citizens which are not imposed on ships built in the United States, are hereby repealed; and it shall be lawful hereafter for all citizens of the United States to buy ships built in whole or in part in any foreign country and have them registered as ships of the United States, and when so registered such ships so bought shall be entitled to all the rights and subjected only to the same regulations as are now

provided by law for the government and management of ships built wholly within the United States and owned and controlled by citizens thereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Missouri.

Mr. VEST. I call for the yeas and nays.  
The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.			
Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.  
Mr. TELLER. I desire to offer an amendment to insert as additional sections what I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be stated.  
The SECRETARY. It is proposed to insert as additional sections the following:

SEC. 1. That the Secretary of the Treasury is hereby authorized and directed to grant registers as vessels of the United States to such foreign-built steamships now engaged in freight and passenger business and sailing from a port in the United States as are of a tonnage of not less than 7,000 tons and capable of a speed of not less than 12 knots per hour, according to the existing method of Government test for speed, of which not less than 90 per cent of the shares of the capital of the foreign corporation or association owning the same was owned January 1, 1902, and has continued to be owned until the passage of this act by citizens of the United States, including as such citizens corporations created under the laws of any of the States thereof, upon the American owners of such majority interest obtaining a full and complete transfer and title to such steamships from the foreign corporations owning the same: *Provided*, That such American owners shall, subsequent to the date of this law, have built, or have contracted to build, in American shipyards steamships of an aggregate tonnage of not less in amount than that of the steamships so admitted to registry, each steamship so built or contracted for to be of a tonnage of not less than 7,000 tons.

SEC. 2. That the Secretary of the Treasury, on being satisfied that such steamships so acquired by American citizens, or by such corporation or corporations as above set forth, are such as come within the provisions of this act, and that the American owners of such steamships, for which an American registry is to be granted under the provisions hereof, have built or contracted to build in American shipyards steamships of an aggregate tonnage as set forth in the first section hereof, shall direct the bills of sale or transfer of the foreign-built steamships so acquired to be recorded in the office of the collector of customs of the proper collection district, and cause such steamships to be registered as vessels of the United States by said collector. After which, each of such vessels shall be entitled to all the rights and privileges of a vessel of the United States, except that it shall not be employed in the coastwise trade of the United States.

SEC. 3. That no further or other inspection shall be required for the said steamship or steamships that is now required for foreign steamships carrying passengers under the existing laws of the United States, and that a special certificate of inspection may be issued for each steamship registered under this act; and that before issuing the registry to any such steamship as a vessel of the United States the collector of customs of the proper collection district shall cause such steamship to be measured and described in accordance with the laws of the United States, which measurement and description shall be recited in the certificate of registry to be issued under this act.

SEC. 4. That any steamships so registered under the provisions of this act may be taken and used by the United States as cruisers or transports upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value at the time of taking between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, who, in case of disagreement, shall select a third, the award of any two of the three so chosen to be final and conclusive.

Mr. TELLER. I desire to add at the end of the amendment, as a modification thereof, the words:

*Provided*, That the ships so registered under this provision shall receive no subsidy under this act.

Mr. ALLISON. Where will the amendment come in?  
Mr. TELLER. At the end of the whole amendment, I suppose.  
Mr. SPOONER. Does the Senator mean to provide that American ships shall receive no subsidy?  
Mr. TELLER. The amendment applies to foreign ships admitted to American registry.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Colorado.

Mr. TELLER. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. QUARLES (after having voted in the negative). I did not observe at the time I voted that the Senator from Texas [Mr. CULBERSON] is not here. I have a general pair with the Senator from Texas and I will therefore withdraw my vote.

The result was announced—yeas 24, nays 47; as follows:

YEAS—24.

Bacon,	Clark, Mont.	Harris,	Patterson,
Bailey,	Clay,	Heitfeld,	Pettus,
Bate,	Cockrell,	McLaurin, Miss.	Rawlins,
Berry,	Dubois,	Mallory,	Taliaferro,
Blackburn,	Foster, La.	Martin,	Teller,
Carmack,	Gibson,	Money,	Vest.

NAYS—47.

Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Spooner,
Cullom,	Gallinger,	McCumber,	Warren,
Deboe,	Gamble,	McLaurin, S. C.	Wellington,
Depew,	Hale,	McMillan,	Wetmore.
Dietrich,	Hanna,	Mason,	

NOT VOTING—17.

Clapp,	McEnery,	Quarles,	Tillman,
Culberson,	Millard,	Quay,	Turner.
Daniel,	Morgan,	Simmons,	
Jones, Ark.	Platt, N. Y.	Simon,	
Lodge,	Pritchard,	Stewart,	

So the amendment was rejected.

Mr. ALLISON. On page 1, line 10, after the words "Post-master-General," I move to insert "until July 1, 1910."

The amendment was agreed to.

Mr. ALLISON. On page 2, line 13, after the word "named," I move to insert the following proviso:

*Provided*, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

The amendment was agreed to.

Mr. ALLISON. On page 4, after line 17, I move to insert:

And every vessel in respect of which any contract authorized by this act shall be applied for or made shall be of the class A1, as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract as provided for in this act shall be of class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

The amendment was agreed to.

Mr. ALLISON. On page 6, line 1, after the words "Post-master-General," I move to insert:

*And provided further*, That until July 1, 1907, not more than \$5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more than \$8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

The amendment was agreed to.

Mr. BACON. I have an amendment which is to come in immediately in this connection. If the Senator from Iowa does not object, I will offer it now, but if he prefers I will withhold it.

Mr. ALLISON. I would prefer to close these amendments.

Mr. BACON. All right.

The PRESIDENT pro tempore. The Senator from Iowa proposes an amendment, which will be stated.

The SECRETARY. On page 7, after line 12, insert:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required. All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph C of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

Mr. NELSON. Mr. President, I ask for a division of the question. There are two propositions in the amendment.

The PRESIDENT pro tempore. The Senator is entitled to a division of the question. The question will be taken on what is called the cargo clause.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. It will be again read.

The Secretary read as follows:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that said shortage bears to the total cargo or its equivalent so required.

The PRESIDENT pro tempore. The question is on agreeing to the first branch of the amendment proposed by the Senator from Iowa.

Mr. TELLER. On that let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Louisiana (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. McCUMBER]. He is temporarily absent from the Chamber. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 33, nays 37; as follows:

YEAS—33.

Allison,	Cockrell,	McComas,	Rawlins,
Bacon,	Culberson,	McLaurin, Miss.	Spooner,
Bailey,	Cullom,	McLaurin, S. C.	Taliaferro,
Bate,	Dillingham,	Mallory,	Teller,
Berry,	Dolliver,	Martin,	Vest,
Blackburn,	Dubois,	Money,	Warren.
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	
Clay,	Heitfeld,	Proctor,	

NAYS—37.

Aldrich,	Dryden,	Hawley,	Penrose,
Bard,	Fairbanks,	Hoar,	Perkins,
Beveridge,	Foraker,	Jones, Nev.	Platt, Conn.
Burnham,	Foster, Wash.	Kean,	Quarles,
Burrows,	Frye,	Kearns,	Scott,
Burton,	Gallinger,	Kittredge,	Wellington,
Clark, Wyo.	Gamble,	McMillan,	Wetmore.
Deboe,	Hale,	Mason,	
Depew,	Hanna,	Mitchell,	
Dietrich,	Hansbrough,	Nelson,	

NOT VOTING—18.

Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McCumber,	Pritchard,	Tillman,
Elkins,	McEnery,	Quay,	Turner.
Foster, La.	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the first branch of Mr. ALLISON'S amendment was rejected.

The PRESIDENT pro tempore. The second branch of the amendment submitted by the Senator from Iowa [Mr. ALLISON] will be read.

The Secretary read as follows:

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph C of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

The second branch of Mr. ALLISON'S amendment was agreed to.

Mr. ALLISON. On page 7, line 4, after the word "vessel," I move to insert "of over 1,000 gross registered tons."

Mr. ALDRICH. So that the paragraph will read—

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Iowa.

Mr. TELLER. Let it be read as it would read if amended.

The PRESIDENT pro tempore. The clause will be read as it would stand if amended.

The Secretary read as follows:

(a) On each entry, not exceeding sixteen entries in any one fiscal year, of a sail or steam vessel of over 1,000 gross registered tons, 1 cent per gross registered ton for each 100 nautical miles sailed.

The amendment was agreed to.

Mr. ALLISON. After line 13, on page 8, I move to insert:

(b) Steamers which during their trials have not obtained a minimum speed of 8 knots, half loaded.

(c) Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I ask for a division of this question, in view of what has already been said.

The PRESIDENT pro tempore. The Senator from Iowa is entitled to a division. The question will be first taken on the first clause.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. The first clause will be again read.

The Secretary read as follows:

(b) Steamers which during their trials have not obtained a minimum speed of 8 knots, half loaded.

The amendment was agreed to.

The PRESIDENT pro tempore. The second clause of the amendment will be read.

The Secretary read as follows:

(i) Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

The amendment was rejected.

Mr. McLAURIN of Mississippi. I send to the desk the amendment of which I gave notice on the 7th of this month, and I ask for a ye-a-and-nay vote on it.

The PRESIDENT pro tempore. The Senator from Mississippi proposes an amendment, which will be read.

The SECRETARY. It is proposed to add, at the end of the bill, the following additional sections:

SEC. 16. That in making the contracts mentioned in section 1 of this act, in all cases where the contract shall be with a firm or firms, the contract shall give the names of all the members of the firm or firms, as the case may be, with whom such contract shall be made; and in case such contract shall be made with a corporation or corporations, the contract shall give the names of all the incorporators and stockholders thereof: *Provided*, That in cases of corporations where the number of incorporators and stockholders is so great as to make it cumbersome to include all the names in the contract, it shall be sufficient for the Postmaster-General to make and keep a record of such names.

SEC. 17. That before any owner or owners of any vessel, as specified in sections 6 and 12 of this act, shall receive any of the money in said sections 6 and 12 mentioned, the names of all of the owners and part owners of such vessel shall be given to the Secretary of the Treasury under the oath of some one or more of such owners or part owners; and in case of a corporation, the names of all of the incorporators and stockholders thereof shall be given to the Secretary of the Treasury under the oath of the president of such corporation, if there be a president, and if not, then under the oath of some other officer thereof, and the Secretary of the Treasury shall keep a record thereof.

SEC. 18. That if the contract shall not give all of the names of the members of the firm or firms, or of the incorporators and stockholders, as required by this act, the said contract shall be thereby void.

SEC. 19. That no Senator or Representative in Congress, or President of the United States, or judge of any court of the United States shall be directly or indirectly interested in any contract under this act, or in any corporation having a contract under this act, or directly or indirectly receive any money or thing of value or worth under the provision or provisions of this act, or be directly or indirectly interested in any corporation or vessel a beneficiary of this act.

The PRESIDENT pro tempore. On this amendment the Senator from Mississippi demands the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Louisiana (when his name was called). I am paired with the junior Senator from North Dakota [Mr. McCUMBER]. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The result was announced—yeas 25, nays 45; as follows:

YEAS—25.			
Bacon,	Clay,	McLaurin, Miss.	Rawlins,
Bailey,	Cockrell,	McLaurin, S. C.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Gibson,	Money,	
Carmack,	Harris,	Patterson,	
Clark, Mont.	Heitfeld,	Pettus,	
NAYS—45.			
Aldrich,	Dillingham,	Hansbrough,	Perkins,
Allison,	Dolliver,	Hawley,	Platt, Conn.
Bard,	Dryden,	Hoar,	Proctor,
Beveridge,	Elkins,	Jones, Nev.	Quarles,
Burnham,	Fairbanks,	Kean,	Scott,
Burrows,	Foraker,	Kearns,	Spooner,
Burton,	Foster, Wash.	Kittredge,	Warren,
Clark, Wyo.	Frye,	McComas,	Wellington,
Cullom,	Gallinger,	McMillan,	Wetmore.
Deboe,	Gamble,	Mason,	
Depew,	Hale,	Mitchell,	
Dietrich,	Hanna,	Nelson,	
NOT VOTING—18.			
Clapp,	McCumber,	Platt, N. Y.	Stewart,
Daniel,	McEnery,	Pritchard,	Tillman,
Foster, La.	Millard,	Quay,	Turner.
Jones, Ark.	Morgan,	Simmons,	
Lodge,	Penrose,	Simon,	

So the amendment was rejected.

Mr. BERRY. Mr. President, I send four amendments to the desk, which I desire to have stated in their order.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendments proposed by the Senator from Arkansas will be stated in their order.

The SECRETARY. At the end of line 12, on page 6, it is proposed to insert:

That oil-tank steamers or vessels for carrying oil in barrels, cases, or packages shall not be included under this act.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. BERRY. I ask for the yeas and nays on the amendment, Mr. President.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Louisiana (when his name was called). I am paired with the Senator from North Dakota [Mr. McCUMBER].

The roll call having been concluded, the result was announced—yeas 25, nays 45; as follows:

YEAS—25.			
Bacon,	Clay,	McLaurin, Miss.	Spooner,
Bailey,	Cockrell,	Mallory,	Taliaferro,
Bate,	Culberson,	Martin,	Teller,
Berry,	Dubois,	Money,	Vest.
Blackburn,	Gibson,	Patterson,	
Carmack,	Harris,	Pettus,	
Clark, Mont.	Heitfeld,	Rawlins,	
NAYS—45.			
Aldrich,	Dolliver,	Hawley,	Penrose,
Bard,	Dryden,	Hoar,	Perkins,
Beveridge,	Elkins,	Jones, Nev.	Platt, Conn.
Burnham,	Fairbanks,	Kean,	Proctor,
Burrows,	Foraker,	Kearns,	Quarles,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mason,	
Dietrich,	Hanna,	Mitchell,	
Dillingham,	Hansbrough,	Nelson,	
NOT VOTING—18.			
Allison,	Lodge,	Platt, N. Y.	Stewart,
Clapp,	McCumber,	Pritchard,	Tillman,
Daniel,	McEnery,	Quay,	Turner.
Foster, La.	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the amendment of Mr. BERRY was rejected.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. On page 6, after line 12, it is proposed to insert:

That freight and passenger rates on all ships or vessels drawing either mail or general subsidy under this act shall be fixed and regulated by the Interstate Commerce Commission; and any individual or corporation violating said regulations shall forfeit an amount double the amount of their subsidy.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. On page 6, at the end of line 12, it is proposed to insert:

No port, shipper, or commodity shall be discriminated against in rates of freight, or by any system of private rebates or other concessions at date of shipment or later period, nor shall any monopoly of freight room for any one article or articles to any one shipper or shippers be given by any individual or corporation drawing either mail or general subsidy under this act.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to strike out all that part of the bill beginning with section 6, page 6, down to and including line 8, on page 10.

Mr. BERRY. That amendment proposes to strike out Title II of the bill in relation to "general subsidy." On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). I am paired with the Senator from Louisiana [Mr. FOSTER].

Mr. PETTUS (when Mr. MORGAN's name was called). The senior Senator from Alabama [Mr. MORGAN] is necessarily absent, and I announce now, for the purposes of all this voting this evening, that he is paired with the Senator from Pennsylvania [Mr. QUAY].

The roll call having been concluded, the result was announced—yeas 25, nays 45; as follows:

YEAS—25.			
Allison,	Clark, Mont.	McLaurin, Miss.	Spooner,
Bacon,	Clay,	Mallory,	Taliaferro,
Bailey,	Cockrell,	Martin,	Teller,
Bate,	Culberson,	Money,	Vest.
Berry,	Dubois,	Patterson,	
Blackburn,	Gibson,	Pettus,	
Carmack,	Heitfeld,	Rawlins,	
NAYS—45.			
Aldrich,	Dolliver,	Hawley,	Penrose,
Bard,	Dryden,	Hoar,	Perkins,
Beveridge,	Elkins,	Jones, Nev.	Platt, Conn.
Burnham,	Fairbanks,	Kean,	Proctor,
Burrows,	Foraker,	Kearns,	Quarles,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mason,	
Dietrich,	Hanna,	Mitchell,	
Dillingham,	Hansbrough,	Nelson,	
NOT VOTING—18.			
Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McCumber,	Pritchard,	Tillman,
Foster, La.	McEnery,	Quay,	Turner.
Harris,	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the amendment of Mr. BERRY was rejected.

Mr. PETTUS. I offer the amendment which I send to the desk, and I ask for the yeas and nays on it.

The PRESIDENT pro tempore. The amendment will be stated. The SECRETARY. It is proposed to insert the following as a new section:

SEC. 16. But under the provisions of this act no more than \$9,000,000 shall be paid out of the Treasury for or in any one year.

The PRESIDENT pro tempore. On this amendment the Senator from Alabama demands the yeas and nays.

The yeas and nays were ordered.

Mr. SPOONER. I ask that the amendment may be again read.

The PRESIDENT pro tempore. The amendment will be again stated.

The Secretary again read the amendment of Mr. PETTUS.

Mr. CLAY. I desire to ask the Senator for information. Has not an amendment already been adopted limiting the amount which may be expended to not exceeding \$8,000,000 a year?

Mr. PETTUS. That was in reference to the mail subsidy.

The PRESIDENT pro tempore. Debate is not in order.

Mr. PLATT of Connecticut. Would it be in order to ask that the former amendment which was adopted should be read?

Mr. COCKRELL. Yes; let it be read.

The PRESIDENT pro tempore. That, in the opinion of the Chair, would be in the nature of debate.

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. PETTUS. The reading of the amendment adopted on the motion of the Senator from Iowa [Mr. ALLISON] has been called for, Mr. President.

The PRESIDENT pro tempore. Debate not being in order, the Senator is not in order. The Secretary will continue the roll call.

The roll call being continued and concluded, the result was announced—yeas 44, nays 22; as follows:

YEAS—44.

Aldrich, Allison, Bacon, Bailey, Bate, Berry, Blackburn, Burnham, Burrows, Carmack, Clark, Mont. Cockrell, Culberson, Cullom, Deboe, Depew, Dietrich, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Gibson, Hanna, Hansbrough, Heitfeld, McComas, McLaurin, Miss. McLaurin, S. C. Martin, Mitchell, Money, Nelson, Patterson, Penrose, Perkins, Pettus, Proctor, Rawlins, Spooner, Taliaferro, Teller, Vest.

NAYS—22.

Bard, Beveridge, Clark, Wyo. Frye, Gallinger, Hale, Hawley, Hoar, Jones, Nev. Kean, Kearns, Kittredge, McCumber, McMillan, Mallory, Mason, Platt, Conn. Quarles, Scott, Warren, Wellington, Wetmore.

NOT VOTING—22.

Burton, Clapp, Clay, Daniel, Dillingham, Dubois, Foster, La. Gamble, Harris, Jones, Ark. Lodge, McEnery, Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So the amendment of Mr. PETTUS was agreed to.

Mr. BACON. I offer an amendment, to come in at the close of the amendment of the Senator from Iowa [Mr. ALLISON], on page 6.

The PRESIDENT pro tempore. The amendment will be stated.

Mr. BACON. The amendment of the Senator from Iowa was the one I called attention to, limiting the amount under Title I.

The SECRETARY. On page 6, after the amendment adopted on motion of Mr. ALLISON, it is proposed to insert:

And provided further, That of the amount authorized to be expended annually under this title, one-fourth of the same shall be reserved for contracts to be made for service between ports of the United States and ports of South America.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Georgia.

Mr. BACON. I call for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 44; as follows:

YEAS—25.

Bacon, Bailey, Bate, Berry, Blackburn, Carmack, Clark, Mont. Clay, Cockrell, Culberson, Dubois, Foster, La. Gibson, Harris, Heitfeld, McLaurin, Miss. Mallory, Martin, Money, Patterson, Pettus, Rawlins, Taliaferro, Teller, Vest.

NAYS—44.

Aldrich, Bard, Beveridge, Burnham, Burrows, Burton, Clark, Wyo. Cullom, Deboe, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Frye, Gallinger, Gamble, Hale, Hanna, Hansbrough, Hoar, Jones, Nev. Kean, Kearns, Kittredge, McComas, McCumber, McMillan, Mason, Mitchell, Nelson, Penrose, Perkins, Platt, Conn. Proctor, Quarles, Scott, Spooner, Warren, Wellington, Wetmore.

NOT VOTING—19.

Allison, Clapp, Daniel, Depew, Hawley, Jones, Ark. Lodge, McEnery, McLaurin, S. C. Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So Mr. BACON's amendment was rejected.

Mr. PATTERSON. I offer the amendment I send to the desk. The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. It is proposed to insert as section 16 the following:

That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof.

Mr. PATTERSON. I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 29, nays 41; as follows:

YEAS—29.

Bacon, Bailey, Bard, Bate, Berry, Blackburn, Carmack, Clark, Mont. Clay, Cockrell, Culberson, Dubois, Foster, La. Gibson, Harris, Heitfeld, Jones, Nev. McLaurin, Miss. Mallory, Martin, Mitchell, Money, Patterson, Perkins, Pettus, Rawlins, Taliaferro, Teller, Vest.

NAYS—41.

Aldrich, Allison, Beveridge, Burnham, Burrows, Burton, Clark, Wyo. Cullom, Deboe, Depew, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Frye, Gallinger, Gamble, Hale, Hanna, Hansbrough, Hawley, Hoar, Kean, Kittredge, McCumber, McMillan, Nelson, Penrose, Platt, Conn. Proctor, Quarles, Scott, Spooner, Warren, Wellington, Wetmore.

NOT VOTING—18.

Clapp, Daniel, Jones, Ark. Kearns, Lodge, McEnery, McLaurin, S. C. Mason, Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So Mr. PATTERSON's amendment was rejected.

Mr. MALLORY. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Florida offers an amendment, which will be stated.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 16. That no vessel shall be entitled to receive any benefit under the postal or general subsidy provisions of this act until the managing owner thereof, or if the vessel be owned by a corporation, then the president of such corporation, shall have made and filed with the Secretary of the Treasury an affidavit, duly sworn to by such managing owner or president, as the case may be, stating that no one owning any share or interest in such vessel, or controlling the management thereof, has within twelve months next preceding the date when said subsidy is due and payable been a party to any agreement or understanding of any kind whatever, with any person or corporation, the purpose of which agreement has been in any way to control ocean freight rates or to limit or prevent competition in the transportation of the products of the United States to foreign countries or the transportation of the products of foreign countries to the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Florida.

Mr. MALLORY. I call for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 26, nays 46; as follows:

YEAS—26.

Bacon, Bailey, Bate, Berry, Blackburn, Carmack, Clark, Mont. Clay, Cockrell, Culberson, Dubois, Foster, La. Gibson, Harris, Heitfeld, McLaurin, Miss. Mallory, S. C. Martin, Money, Patterson, Pettus, Rawlins, Taliaferro, Teller, Vest.

NAYS—46.

Aldrich, Allison, Bard, Beveridge, Burnham, Burrows, Burton, Clark, Wyo. Cullom, Deboe, Depew, Dietrich, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Frye, Gallinger, Gamble, Hale, Hanna, Hansbrough, Hoar, Jones, Nev. Kean, Kearns, Kittredge, McCumber, McMillan, Mitchell, Nelson, Penrose, Platt, Conn. Proctor, Quarles, Scott, Spooner, Warren, Wellington, Wetmore.

NOT VOTING—16.

Clapp, Daniel, Dillingham, Jones, Ark. Lodge, McEnery, Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So Mr. MALLORY's amendment was rejected.

Mr. CULBERSON. I offer an amendment to the bill, and ask that it be read.

The PRESIDENT pro tempore. The Senator from Texas offers an amendment, which will be stated.

The SECRETARY. It is proposed to amend by inserting after the word "for," in line 10, page 4, the words "be remodeled as far as practicable with particular reference to prompt and economical conversion into auxiliary naval cruisers according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and."

Mr. ALLISON. I ask that the amendment may be again read. The Secretary again read the amendment.

Mr. SPOONER. I ask to have the subsection read as it will stand if amended.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

And all vessels of said five classes heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be remodeled as far as practicable with particular reference to prompt and economical conversion into auxiliary naval cruisers according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy.

The PRESIDENT pro tempore. The question is on agreeing to the amendment which has been stated.

Mr. CULBERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 47; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—47.			
Aldrich,	Dillingham,	Hawley,	Nelson,
Allison,	Dolliver,	Hoar,	Penrose,
Bard,	Dryden,	Jones, Nev.	Perkins,
Beveridge,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Proctor,
Burrows,	Foraker,	Kittredge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McLaurin, S. C.	Warren,
Deboe,	Hale,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mitchell,	

NOT VOTING—16.			
Clapp,	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Foster, Wash.	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So Mr. CULBERSON'S amendment was rejected.

Mr. CULBERSON. I offer an amendment which is intended to come in just after the amendment of the Senator from Wisconsin [Mr. SPOONER], which has been accepted by the committee, as I understand.

The PRESIDENT pro tempore. The Senator from Texas offers an amendment, which will be read.

Mr. SPOONER. I have not offered the amendment, but I will offer it now, if the Senator is offering an amendment with reference to it.

Mr. CULBERSON. Very well.

The PRESIDENT pro tempore. The Senator from Wisconsin offers an amendment which will be read.

Mr. SPOONER. It is to stand as section 16.

The SECRETARY. It is proposed to insert as section 16 the following:

SEC. 16. The Congress reserves the power to alter, amend, or repeal this act in whole or in part whenever, in its judgment, the public interests shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of Title I hereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. CULBERSON. After the amendment just adopted I move to insert:

Provided further, That in no event shall any payment be made under this title for any voyage made after July 1, 1907, nor for any part of a voyage made subsequent to that date.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. Let the amendment be read again.

The Secretary again read the amendment.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from Texas.

The question being taken, the yeas and nays resulted—yeas 24, nays 47; as follows:

YEAS—24.			
Bacon,	Clark, Mont.	Gibson,	Money,
Bailey,	Clay,	Harris,	Patterson,
Bate,	Cockrell,	Heitfeld,	Pettus,
Berry,	Culberson,	McLaurin, Miss.	Rawlins,
Blackburn,	Dubois,	Mallory,	Taliaferro,
Carmack,	Foster, La.	Martin,	Teller.

NAYS—47.

Aldrich,	Dillingham,	Hawley,	Nelson,
Allison,	Dolliver,	Hoar,	Penrose,
Bard,	Dryden,	Jones, Nev.	Perkins,
Beveridge,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Proctor,
Burrows,	Foraker,	Kittredge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McLaurin, S. C.	Warren,
Deboe,	Hale,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mitchell,	

NOT VOTING—17.

Clapp,	McEnery,	Quay,	Turner,
Daniel,	Millard,	Simmons,	Vest.
Foster, Wash.	Morgan,	Simon,	
Jones, Ark.	Platt, N. Y.	Stewart,	
Lodge,	Pritchard,	Tillman,	

So the amendment was rejected.

Mr. NELSON subsequently said: Mr. President, I have a general pair with the junior Senator from Missouri [Mr. VEST], and it escaped my attention that he did not vote on the last vote. In view of that fact, I ask leave to withdraw my vote.

Mr. BERRY. That is all right.

The PRESIDENT pro tempore. The Senator from Missouri is now here. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the vote is withdrawn.

Mr. CULBERSON. I move to add at the end of Title III:

Provided, That in no event shall any payment be made under this title after July 1, 1907.

The amendment was rejected.

Mr. BACON. I offer an amendment to come in immediately after the amendment offered by the Senator from Wisconsin [Mr. SPOONER], which was adopted.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert at the end of section 16, just adopted, the following additional proviso:

And provided further, That any contract made under the provisions of this act may hereafter be canceled by act or resolution of Congress, the said cancellation to take effect within not less than four years after the date of the passage of said act or resolution.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BACON].

The amendment was rejected.

Mr. MCCOMAS. I offer an amendment to come in at the end of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary proceeded to read the amendment.

Mr. ALDRICH. That amendment has been once voted down.

Mr. MCCOMAS. This amendment has not been voted down. This is one section. Five sections were voted down.

Mr. ALDRICH. It was voted down with the other five sections.

Mr. HOAR. The Senator from Maryland can renew it in the Senate.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary resumed and concluded the reading of Mr. MCCOMAS'S amendment, which was to add at the end of the bill the following additional section:

SEC. —. That the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," is hereby specifically declared to be applicable, in addition to its other applications, to the owner, and either or both of them, of any vessel entering into any contract provided for by this act, and any such vessel is hereby declared to be property in the course of transportation within the intent and provisions of section 8 of the aforesaid act of July 2, 1890.

That upon complaint made to the Secretary of the Treasury (a) that any person owning, controlling, or operating vessels entitled to compensation under this act which together with the vessels associated with them in any combination, contract, or conspiracy aggregate in tonnage one-third of the total tonnage of all vessels entitled to compensation, or (b) that any person owning, controlling, or operating vessels entitled to compensation under this act which transact business in any port of the United States and together with the vessels associated with them in any combination, contract, or conspiracy aggregate one-third of the total tonnage of all vessels entitled to compensation under this act entering or clearing from such port in the United States during any one year, has entered into any contract, combination, or conspiracy, whatever be the form thereof, for the purpose of controlling the terminal facilities for shipping in any port or ports of the United States, or for regulating or increasing the rates or fares for freight or passengers in trade or commerce among the several States or with foreign nations, or for granting any special rebates or privileges to shippers in such commerce, or for otherwise putting any restraint upon trade or commerce among the several States or with foreign nations, the Secretary shall fix a time and place for hearing such charges and give notice thereof to the persons interested and may require the production before him of any contracts or papers which he may deem material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true. If, after notice and hearing, the Secretary of the Treasury shall determine in writing that such charges are true, thereupon the right of the person or persons so found violating the provisions of this section, and their assigns, to any compensation from the United States under this act shall immediately cease and determine.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland [Mr. MCCOMAS].

Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 31, nays 39; as follows:

YEAS—31.			
Allison,	Clay,	Harris,	Proctor,
Bacon,	Cockrell,	Heitfeld,	Rawlins,
Bailey,	Culberson,	McComas,	Spooner,
Bate,	Dillingham,	McLaurin, Miss.	Taliaferro,
Berry,	Dolliver,	Mallory,	Teller,
Blackburn,	Dubois,	Martin,	Vest,
Carmack,	Foster, La.	Money,	Warren.
Clark, Mont.	Gibson,	Patterson,	
NAYS—39.			
Aldrich,	Dryden,	Hawley,	Mitchell,
Bard,	Elkins,	Hoar,	Nelson,
Beveridge,	Fairbanks,	Jones, Nev.	Penrose,
Burnham,	Foraker,	Kearns,	Perkins,
Burrows,	Foster, Wash.	Kittredge,	Platt, Conn.
Burton,	Frye,	McCumber,	Quarles,
Clark, Wyo.	Gallinger,	McLaurin, S. C.	Scott,
Deboe,	Gamble,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mason,	
NOT VOTING—18.			
Clapp,	Lodge,	Platt, N. Y.	Stewart,
Cullom,	McEnery,	Pritchard,	Tillman,
Daniel,	Millard,	Quay,	Turner.
Hale,	Morgan,	Simmons,	
Jones, Ark.	Pettus,	Simon,	

So the amendment was rejected.

Mr. HANNA. I offer an amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert the following at the end of the bill:

No foreign-built ship shall receive or be entitled to receive any subsidy or other benefit from this act or any other act of Congress, except as herein or therein expressly stipulated: *Provided, however,* That nothing contained in this act, or any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce; but no foreign-built ship of any such line shall hereafter be admitted to American registry.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. VEST. I ask for the yeas and nays.

Mr. NELSON. I ask for a division of the question. I ask that that part of the amendment before the proviso be voted upon separately.

Mr. HOAR. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. HOAR. Was that amendment reported from the committee?

The PRESIDENT pro tempore. It was not. The Senator from Minnesota demands a division.

Mr. NELSON. I ask that that part of the amendment preceding the proviso be voted on separately. There are two distinct questions involved in the amendment.

The PRESIDENT pro tempore. It is capable of a division. The Senator has a right to demand a division.

Mr. NELSON. Yes, sir; I demand a division.

The PRESIDENT pro tempore. The first clause of the amendment will be read.

Mr. COCKRELL. Now let it be read.

The PRESIDENT pro tempore. The first clause of the amendment of the Senator from Ohio will be read.

The SECRETARY. Insert at the end of the bill the following:

No foreign-built ship shall receive or be entitled to receive any subsidy or other benefit from this act or any other act of Congress, except as herein or therein expressly stipulated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The second clause of the amendment of the Senator from Ohio will be read.

The Secretary read as follows:

*Provided, however,* That nothing contained in this act or in any other act of Congress shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce; but no foreign-built ship of any such line shall hereafter be admitted to American registry.

Mr. TELLER. There are two propositions there. The last proposition, that no foreign-built ship shall hereafter be admitted to American registry, is one proposition. I ask to have a division.

The PRESIDENT pro tempore. It is capable of a division. The vote will be first taken on the clause which will be read.

Mr. TELLER. Let it be again read to the Senate.

The Secretary read as follows:

*Provided, however,* That nothing contained in this act, or in any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce.

The amendment was agreed to.

The PRESIDENT pro tempore. The final clause of the amendment will now be read.

The Secretary read as follows:

But no foreign-built ship of any such line shall hereafter be admitted to American registry.

Mr. PATTERSON and Mr. TELLER called for the yeas and nays.

The yeas and nays were ordered.

Mr. SPOONER. I rise to a parliamentary inquiry. Does that mean that Congress shall not pass any act hereafter admitting any of those ships to American registry?

Mr. TELLER. That is what it must mean, I suppose. I think it is mere nonsense to pass that provision.

Mr. ALDRICH. Question, Mr. President.

Mr. CULLOM. Regular order, Mr. President.

The yeas and nays being taken, the result was announced—yeas 43, nays 28; as follows:

YEAS—43.			
Aldrich,	Dolliver,	Hoar,	Penrose,
Allison,	Dryden,	Jones, Nev.	Perkins,
Bard,	Elkins,	Kearns,	Platt, Conn.
Beveridge,	Fairbanks,	Kittredge,	Proctor,
Burnham,	Foster, Wash.	McCumber,	Quarles,
Burrows,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McLaurin, S. C.	Spooner,
Deboe,	Gamble,	McMillan,	Warren,
Depew,	Hale,	Mason,	Wellington,
Dietrich,	Hanna,	Mitchell,	Wetmore.
Dillingham,	Hansbrough,	Nelson,	
NAYS—28.			
Bacon,	Clay,	Harris,	Money,
Bailey,	Cockrell,	Hawley,	Patterson,
Bate,	Culberson,	Heitfeld,	Pettus,
Berry,	Dubois,	McLaurin, Miss.	Rawlins,
Blackburn,	Foraker,	McLaurin, S. C.	Taliaferro,
Carmack,	Foster, La.	Mallory,	Teller,
Clark, Mont.	Gibson,	Martin,	Vest.
NOT VOTING—17.			
Burton,	Lodge,	Pritchard,	Tillman,
Clapp,	McEnery,	Quay,	Turner.
Daniel,	Millard,	Simmons,	
Depew,	Morgan,	Simon,	
Jones, Ark.	Platt, N. Y.	Stewart,	

So the last clause of the amendment of Mr. HANNA was agreed to.

Mr. MONEY. I send an amendment to the desk, which I propose to the bill, and I ask for the yeas and nays upon it.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to amend by striking out all of Title III of the bill.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Mississippi [Mr. MONEY], on which he demands the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 46; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	
NAYS—46.			
Aldrich,	Dillingham,	Hansbrough,	Penrose,
Allison,	Dolliver,	Hoar,	Perkins,
Bard,	Dryden,	Jones, Nev.	Platt, Conn.
Beveridge,	Elkins,	Kearns,	Proctor,
Burnham,	Fairbanks,	Kearns,	Quarles,
Burrows,	Foraker,	Kittredge,	Scott,
Burton,	Foster, Wash.	McCumber,	Spooner,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mitchell,	
Dietrich,	Hanna,	Nelson,	
NOT VOTING—17.			
Clapp,	McEnery,	Pritchard,	Tillman,
Daniel,	Mason,	Quay,	Turner.
Hawley,	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	
Lodge,	Platt, N. Y.	Stewart,	

So Mr. MONEY's amendment was rejected.

The PRESIDENT pro tempore. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate as amended.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Is there a request for a separate vote on concurring in any amendment made as in Committee of the Whole?

Mr. ALDRICH. I ask that a separate vote may be taken on the amendment which was adopted on motion of the Senator from Alabama [Mr. PETTUS].

Mr. COCKRELL. I ask that a separate vote may be taken on the middle clause of the amendment of the Senator from Ohio [Mr. HANNA], providing that shipping companies may make any combination they please.

The PRESIDENT pro tempore. Otherwise, will the Senate concur in the amendments made as in Committee of the Whole?

The amendments not reserved were concurred in.

The PRESIDENT pro tempore. A separate vote has been demanded by the Senator from Rhode Island [Mr. ALDRICH] on an

amendment adopted on motion of the Senator from Alabama [Mr. PETTUS]. The amendment will be stated.

The SECRETARY. Add as section 16 the following:

But under the provisions of this act no more than \$9,000,000 shall be paid out of the Treasury for or in any one year.

Mr. BACON. Is an amendment to that amendment in order, Mr. President?

The PRESIDENT pro tempore. It is.

Mr. BACON. I move to strike out "nine" and insert "three;" so as to make the amount \$3,000,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Georgia [Mr. BACON] to the amendment heretofore adopted as in Committee of the Whole on motion of the Senator from Alabama [Mr. PETTUS].

Mr. BEVERIDGE. Has that amendment been reconsidered, and is it open to amendment?

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment. The question is on the amendment of the Senator from Georgia [Mr. BACON] to the amendment of the Senator from Alabama [Mr. PETTUS].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on concurring in the amendment of the Senator from Alabama [Mr. PETTUS] made as in Committee of the Whole.

Mr. PETTUS. I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 30, nays 42; as follows:

YEAS—30.			
Allison,	Cockrell,	Gibson,	Proctor,
Bacon,	Culberson,	Harris,	Rawlins,
Bate,	Cullom,	Heitfeld,	Spooner,
Berry,	Dillingham,	McLaurin, Miss.	Taliaferro,
Blackburn,	Dolliver,	Martin,	Teller,
Carmack,	Dubois,	Money,	Vest.
Clark, Mont.	Fairbanks,	Patterson,	
Clay,	Foster, La.	Pettus,	
NAYS—42.			
Aldrich,	Elkins,	Jones, Nev.	Nelson,
Bard,	Foraker,	Kean,	Penrose,
Beveridge,	Foster, Wash.	Kearns,	Perkins,
Burnham,	Frye,	Kittredge,	Platt, Conn.
Burrows,	Gallinger,	McComas,	Quarles,
Burton,	Gamble,	McCumber,	Scott,
Clark, Wyo.	Hale,	McLaurin, S. C.	Warren,
Deboe,	Hanna,	McMillan,	Wellington,
Depew,	Hansbrough,	Mallory,	Wetmore.
Dietrich,	Hawley,	Mason,	
Dryden,	Hoar,	Mitchell,	
NOT VOTING—16.			
Bailey,	Lodge,	Platt, N. Y.	Simon,
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So the amendment was nonconcurrent in.

Mr. COCKRELL. Now I ask that the next reserved amendment may be stated.

The PRESIDENT pro tempore. The Senator from Missouri [Mr. COCKRELL] has demanded a separate vote on concurring in the middle clause of the amendment made as in Committee of the Whole on motion of the Senator from Ohio [Mr. HANNA], which will be stated.

The Secretary read as follows:

Provided, however, That nothing contained in this act, or in any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce.

Mr. PETTUS. I ask for the yeas and nays on concurring in that amendment.

The yeas and nays were ordered; and, being taken, resulted—yeas 42, nays 30; as follows:

YEAS—42.			
Aldrich,	Dolliver,	Hawley,	Mitchell,
Bard,	Dryden,	Hoar,	Nelson,
Beveridge,	Elkins,	Jones, Nev.	Penrose,
Burnham,	Fairbanks,	Kean,	Perkins,
Burrows,	Foraker,	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Scott,
Clark, Wyo.	Gallinger,	McComas,	Warren,
Deboe,	Gamble,	McCumber,	Wellington,
Depew,	Hale,	McLaurin, S. C.	Wetmore.
Dietrich,	Hanna,	McMillan,	
Dillingham,	Hansbrough,	Mason,	
NAYS—30.			
Allison,	Clay,	Heitfeld,	Quarles,
Bacon,	Cockrell,	McLaurin, Miss.	Rawlins,
Bailey,	Culberson,	Mallory,	Spooner,
Bate,	Cullom,	Martin,	Taliaferro,
Berry,	Dubois,	Money,	Teller,
Blackburn,	Foster, La.	Patterson,	Vest.
Carmack,	Gibson,	Pettus,	
Clark, Mont.	Harris,	Proctor,	
NOT VOTING—16.			
Clapp,	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Foster, Wash.	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So the reserved clause of Mr. HANNA's amendment was concurred in.

The PRESIDENT pro tempore. The question is, Shall the bill be ordered to be engrossed for a third reading, and be read the third time?

The bill was ordered to be engrossed for a third reading; and it was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. BERRY. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MARTIN (when Mr. DANIEL's name was called). On this vote and on all votes on amendments to the pending bill my colleague is and has been paired with the Senator from Nebraska [Mr. MILLARD].

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). On this vote my colleague is paired with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "nay."

Mr. HOAR (when Mr. LODGE's name was called). I should like to announce on the passage of the bill that my colleague is paired, and would vote for the bill if present.

Mr. MARTIN (when Mr. TILLMAN's name was called). I desire to announce that on all amendments to the pending bill and on its passage the senior Senator from South Carolina [Mr. TILLMAN] is paired with the senior Senator from North Carolina [Mr. PRITCHARD].

Mr. CLAY (when Mr. TURNER's name was called). The Senator from Washington [Mr. TURNER] is paired with the senior Senator from New York [Mr. PLATT]; and I have been requested to state that if the Senator from Washington [Mr. TURNER] were present, he would vote "nay."

The roll call was concluded.

Mr. NELSON. My colleague [Mr. CLAPP] is unavoidably absent. He gave me no particular instructions on this matter, but I understand from other Senators here that he has a general pair on this bill and on all amendments with the junior Senator from North Carolina [Mr. SIMMONS].

The result was announced—yeas 43, nays 31; as follows:

YEAS—43.			
Aldrich,	Dryden,	Hawley,	Mitchell,
Bard,	Elkins,	Hoar,	Nelson,
Beveridge,	Fairbanks,	Jones, Nev.	Penrose,
Burnham,	Foraker,	Kean,	Perkins,
Burrows,	Foster, Wash.	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Scott,
Clark, Wyo.	Gallinger,	McComas,	Warren,
Cullom,	Gamble,	McCumber,	Wellington,
Deboe,	Hale,	McLaurin, S. C.	Wetmore.
Depew,	Hanna,	McMillan,	
Dietrich,	Hansbrough,	Mason,	
NAYS—31.			
Allison,	Clay,	Harris,	Proctor,
Bacon,	Cockrell,	Heitfeld,	Quarles,
Bailey,	Culberson,	McLaurin, Miss.	Rawlins,
Bate,	Dillingham,	Mallory,	Spooner,
Berry,	Dolliver,	Martin,	Taliaferro,
Blackburn,	Dubois,	Money,	Teller,
Carmack,	Foster, La.	Patterson,	Vest.
Clark, Mont.	Gibson,	Pettus,	
NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So the bill was passed.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be read by title.

The SECRETARY. A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 18, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, March 17, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

A CORRECTION.

Mr. SMITH of Kentucky. Mr. Speaker, I think there may be a mistake in the Journal; I know there is in the RECORD. On Saturday last I asked unanimous consent that House bill 1592 might be considered in Committee of the Whole. The bill is for the relief of F. M. Vowells. I see in the RECORD that the name is S. M. Bowles. I expect the same error is in the Journal, and I desire to have the name corrected both in the Journal and the RECORD.